CENTRAL VALLEY

REGIONAL WATER QUALITY CONTROL BOARD

IRRIGATED LANDS CONDITIONAL WAIVER PROGRAM

TECHNICAL ISSUES COMMITTEE

WORKSHOP

TUESDAY, FEBRUARY 13, 2007

9:00 A.M.

HELD AT

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

RANCHO CORDOVA, CALIFORNIA

REPORTED BY: ESTHER F. SCHWARTZ
CSR NO. 1564

ATTENDEES

FACILITATOR:

JEFF LOUX

TECHNICAL ISSUES COMMITTEE:

LENWOOD HALL
KEITH LARSON
MARYAM KHOSRAVIFARD
G. FRED LEE
SANDY NURSE
JOE MCGAHAN
MELISSA TURNER
KRISTA CALLINAN
CLAUS SUVERKROPP
MARSHALL LEE
STEPHEN CLARK
ORIT KALMAN
NASSER DEAN
TINA LUNT
LINDA DEANOVIC
JODY EDMUNDS
AL VARGAS
JOHN MEEK

CVRWQCB BOARD MEMBERS:

KARL E. LONGLEY
DAN ODENWELLER

CVRWQCB STAFF:

MARGIE LOPEZ READ
KENNETH LANDAU
DANIA HUGGINS
WENDY COHEN
JOHN SWANSON
JEANNE CHILCOTT
SUSAN FREGIEN
JON MARSHACK

INTERESTED PERSON:

JIM HARRINGTON

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RANCHO CORDOVA, CALIFORNIA

TUESDAY, FEBRUARY 13, 2007, 9:10 A.M.

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MR. LOUX: Let's get started. There are a couple people still on the road, stuck on some tough 99 traffic. We can get started, get some of the preliminaries out of the way and that sort of thing.

I need to introduce myself first and hopefully it will be -- my name is Jeff Loux. I work for U.C. Davis, and I'm going to sort of be the Dave Ceppos for the next couple of meetings. Hopefully, it's going to be okay. I will stumble my way through best I can. I don't know what Dave knows, and I probably won't do as good a job as Dave did. Hopefully, you guys are well along and you are working well together. I will stay out of the way, fade into the background.

I will be facilitating for you. The reason we are doing that is U.C. Davis actually has a contract to do all the training for the Water Board; that is how we have the facilitation happening, and we kind of borrowed facilitation services out of the education and training contract, and for a lot of contract reasons we couldn't continue to do that with CCP, the group that Dave works with.

I do a lot of facilitating. I work with Wendy Cohen and Bill Croyle doing facilitating for them back in the fall on the policy issues. I know a little bit about the program, a little bit about what you're doing. Hopefully, you will bear with me and let me help organize you, and then you will get all your work done.

Why don't we go just go around and just do intros. A couple of people here are new and many of you are new to me.

Jeff Loux, U.C., Davis.

MS. LOPEZ READ: Margie Lopez Read with the Water Board.

MR. ODENWELLER: Dan Odenweller, Board Member with the Regional Board.

DR. LONGLEY: Karl Longley, Region 5 Board Member.

MR. LANDAU: Ken Landau, Assistant Executive Officer, Regional Board.

MS. HUGGINS: Dania Huggins, Regional Board.

MR. VARGAS: Al Vargas, Department Food and Agriculture.

MS. COHEN: Wendy Cohen, Regional Board.

MS. CALLINAN: Krista Callinan, East San

Joaquin and San Joaquin County Delta Water Quality Coalition.

MS. TURNER: Melissa Turner with the San Joaquin County Delta Water Quality Coalition and U.C. Davis contract.

MR. LEE: Marshall Lee, Department Pesticide Regulation.

DR. LEE: Fred Lee, Fred Lee & Associates.

MS. DEANOVIC: Linda Deanovic, University of California.

MR. HALL: Lenwood Hall, University of Maryland.

DR. KALMAN: Orit Kalman, San Joaquin Coalition.

MR. MCGAHAN: Joe McGahan with Summers Engineering, representing the Westside Coalition.

MS. EDMUNDS: Jody Edmunds, URS.

MR. HARRINGTON: Jim Harrington, Fish and Game, aquatic bioassessment lab.

MS. CHILCOTT: Jeanne Chilcott, Regional Board.

MS. LUNT: Tina Lunt, Sacramento Valley Water Quality Coalition.

MS. FREGIEN: Susan Fregien, Regional Board.

MR. SWANSON: John Swanson for Regional Board.

MS. NURSE: Sandy Nurse, Sierra Foothill Labs.

MR. LOUX: Well, to speak to the agenda real fast, it's pretty self-explanatory. We are going to have some introductions and a couple of announcements and the beginning of the CMAP Project and spend a little bit of time with the status of the monitoring workshop and schedule. And Margie will lead us through that. We will then go through sort of the latest round of revisions that you guys have and some of your technical pieces, assessment completeness and toxicity test control, and spend a little bit of time having a group discussion around 11, 11 to 11:30, on the stakeholder meetings, sort of what they might be and look at and kind of open discussion and a little bit of an open discussion about schedule possible topics for 2007 and where we're heading. We have an April 13th meeting scheduled, but nothing after that and then close.

Margie will keep correcting me, every mistake I make, which will be many at this point because I am still trying to catch up with the process.

Anybody have any questions, concerns, issues,

agenda or where we are or any of that logistical sort of stuff?

Dive in. December meeting notes we don't have.

MS. LOPEZ READ: We don't have them. I have to apologize for that. I was to finish those up this weekend, and I didn't E-mail them to myself. I will be able to send them out this week to everybody so you can take a took at the December meeting notes to make sure they match with your understanding of the last meeting. They will probably be followed up pretty closely with the meeting notes from this meeting.

MR. LOUX: The second item is, Jim, you are going to talk a little about the CMAP bioassessment meeting.

MR. HARRINGTON: Margie, I didn't get to talk to you prior to the meeting. How much do you want me to go into this? How much time do you want to take?

MS. LOPEZ READ: About a half hour or 15 minutes.

MR. LOUX: How about 15.

MS. LOPEZ READ: Ten minutes.

MR. LOUX: Maybe some discussion.

MR. HARRINGTON: I have a five. Anyway, I am Jim Harrington, Fish and Game. If no one -- some of you probably don't know who I am, and we have a staff there called the aquatic bioassessment laboratory. We have been doing assessment monitoring for the state using bioassessment techniques, primarily as prime indicators of conditions of streams. Doing it for a long time.

This project that we have now and that we met on the 6th about, and there is a summary of the meeting right here. That was a handout. That is called the California Monitoring and Assessment Program. It is a spin-off of the Environmental Monitoring Assessment Program of EPA. It is a problistic design to answer the questions: What is the condition of streams in California? Goes way back to, I think, the '90s or '89 or something like that when Congress asked EPA, Why didn't you? We've been giving you billions of dollars over the years. What is the state of streams in the United States?

And they knew that they couldn't go to every single stream. They designed this problistic design. It took many millions of dollars to design it. It's a great program we think for answering

25 that question. We got involved with it in '99 on

1 EMAP, and, again, after EPA pulled out and answered
2 their questions for the entire United States, we
3 kind of adopted that procedure to answer the same
4 questions in California.
5 Why? Because it is a fairly proven technique,
6 and it will give us some kind of scientific validity
7 to the questions. Instead of assuming or guessing
8 or going to one particular site, this design,
9 hopefully, answers questions on the entire state.
10 Percent of streams and what condition they are in.
11 Anyway, the design that we talked to you about
12 was, one, to answer the question of what are the
13 state or condition of agricultural streams. And so
14 we started this about four years ago, and we are in
15 our last year. And there are some sites that we
16 haven't had access to yet. In fact, we are looking
17 at modified channels, all the basic channels that
18 waters of the state that are involved with
19 agriculture and the perennial streams, mainly deal
20 with perennial streams not ditches that dry up and
21 are only used for, maybe, one or two days a year or
22 whatever. I am not sure how they do it. We are
23 looking at perennial streams in California, waters
24 of the state. Totally problistic.

25 What we are coming to do is to ask the

1 coalitions if they can help us get access to. It
2 would be easier -- if we can get access, the better
3 we can do our job and get it done.
4 Pete Ode who presented a nice presentation at
5 that meeting shows these pie charts. And if -- that
6 is all we are doing. The site on somebody's land,
7 we don't care about that person's land. It is just
8 one of 50 or 60 sites that will give us basically a
9 pie chart that will say 60 percent of these streams
10 are in good shape, fair shape, bad shape, whatever.
11 To get that idea what is good or bad, we just
12 use statistics. It is a -- he showed a graph. It
13 is like 1 percent -- one standard deviation from the
14 norm or two standard deviations from the norm will
15 give you the split-offs between good, bad and fair.
16 So, that is what we do. We asked the
17 coalitions to help. In the beginning, of course,
18 they were reluctant. Everyone has to be a little
19 bit concerned when the government wants to go on
20 your land to take some samples. But, again, we are
21 mainly looking at biological indicators. It's very
22 generalized indicators. We are not looking at --
23 they are ambient, ambient monitoring, ambient type

chemistry which is your pH, DO, stuff like that. We are not diagnosing problems or anything like that.

We can produce some stressors, very general stressors. Is it sediment? Is it habitat? Things like that.

So we will get some of that and we will get some risk factors, all the statistical stuff you can produce once have a valid statistical program. That is the point. We need to access so we are not assuming, we are not guessing. We have our sites; they are picked by a computer. We need to get there. If they are acceptable -- not acceptable, but assessable; and they are followed in this perennial stream designation.

Actually, we did real well. I think towards the end, talk to me, talk to me, and we can help you. We sent out letters with all the sites for the state. Again, not just the Central Valley. It is not -- there is other parts of the state where there is agriculture also. Like, 50, 60 sites that are distributed, of whom we already have; and this is our last year's effort to do this for this particular stream. We are hoping this program will go on until -- forever, because it is a very cost-effective way of answering these questions,

doing 305(b) report for the State Board, EPA and stuff like that.

So are there any questions?

Did I forget anything?

MR. HALL: Question. If you have a site that is your primary site collected from your problistic process that is your first choice, if you can't get access to that site, you have to go to your second choice. When you have to use second choices, how much does it impact the overall statistical design of your program?

MR. HARRINGTON: Actually, it is part of the statistical design. There are layers that you go through to get to them. That is all part of it. In fact, we need 50, 60 sites; we will get 400 from the computer. We will go through them. It's all designed by the EPA stat gurus at Corvallis, OSU. So it doesn't affect the statistical validity at all. Still with this design you can still -- he had -- he didn't put it in this, but there was an example where we could say 80 percent of the streams are affected by sediment, plus or minus 6 or 7 percent. The design is set up, I think, for 7.5 percent either side of a point, 15 percent error.

MR. HALL: Okay.

MR. HARRINGTON: It doesn't increase much by adding more sites. It doesn't decrease by going

over. Pretty much a minimum, 50, 60 sites, to get the statistical validity that we want.

DR. KALMAN: I was curious, to determine the site that you selected --

MR. HARRINGTON: To determine the sites? Has to be a perennial stream. In this case because we have three layers, we have timber, urban and agricultural land use. So the big thing there is the map, basically digitized topal map, forest service topal maps, used for hiking, whatever. Then overlaid on that, whether agricultural land or timber or urban, do the best we can. There is mixtures, and we've dealt with all of that through our designs. That is it, perennial stream within the designated area.

For EMAP we did, like, Southern California coastal streams. It was a geographic area. So all of the perennial streams in that area, we would start at the top of the list and go down. Some of the streams are covered by Macy's parking lots. Nothing we can do about that. You throw that off the list. The ones that are left, and you can get

access. That is the thing, that you can get access to. Very important to get access. That is why we are here asking for your help or coalition people's

help.

MR. CLARK: Stephen Clark. I know that in your other work that you developed a reference condition for certain research areas, study areas. Are you planning on doing that as well for agricultural streams within the valley? Or how are you going to go about benchmarking fair, good or bad?

MR. HARRINGTON: Well, the reference streams are important, and that is separate. We have worked with Central Valley Board and Pesticide, DPR now to work on some of those issues and have looked at some reference sites. The best -- again, I can start to get into more detail. But for this particular thing, it's, when you get the distribution of sites, you just assume that the best ones are the best. In fact, when you look at what you get is a cumulative frequency distribution. It doesn't really need to have those references to make the designation of one standard deviation from the norm or four standard deviations being your cutoff.

We also mentioned, and this is way down the road, is that with this cumulative frequency distribution through means or whatever, process or Regional Board people and people go through, coalitions, you can

actually pick expectations. You might have different expectations some day for agriculture than you would for national park, urban and stuff like that. All of that could be done. But first we have to get the data.

We want to be confident of the data. We don't want to have big holes where we can't get that. If there is a big hole, a bunch of people that say we can't sample on the land, we have to either assume what it looks like or just say this estimate is for all agricultural streams except for one coalition or whoever didn't give us access. You can define your universe that way if you need to.

I think it would be best to -- we kept people -- people are going to say, "People are going to assume this; people are going to assume that." They are go to assume forever until you actually get to some real data. That is basically what we get, what is really out there.

MR. LOUX: Karl had a question.

DR. LONGLEY: Karl Longley.

As you know, I was at the CMAP meeting, and most of the folks there, I don't think any representatives from the northern part of Central Valley, basically southern part. And the data or

the list of possible sites that were provided for possible sampling, turns out most of those were dry ones up to maybe six, seven months a year. And those, as I understand it, wouldn't fit under your -- obviously wouldn't fit under the perennial stream category.

I think the issue on the sampling is going to be when you talk to the folks in the northern part of this valley where your find much more in the way of perennial streams. We have rivers that are dry in the southern part that won't be called a creek in respectable water territory.

MR. HARRINGTON: That is where the coalitions help. Sitting in a desk in Sacramento, we don't know this kind of stuff, necessarily. And a computer tells us where to go. And so it would be really nice to get away from the computer and away from the desk and talk to the real people. So we really like the idea of contacting coalitions and going out with them and talking to them and seeing

-- we do have to -- it would be nice to see the sites, to get that info. Again, we will have to wait and talk to them and see exactly how it works.

DR. LONGLEY: The problem is that in the south part of the valley you are going to select

sites, so-called creeks and rivers and so forth. I think a White River and a Tule River and so forth, which, if you are going to do those streams, you have to go upstream in the foothill area, quite frankly, if you find them to be perennial.

But my point, you really can't do that until about July or August. If you go and send a crew out in March or this time of the year, there may be water in them.

MR. HARRINGTON: Actually, we don't go out until -- that is one of the big problems we have. We go out there and we'll see a stream flowing, and we have to kind of guess if it is going to be flowing in July when we get out there, in June or July when we get out there.

So, again, if you are talking to the farmer or irrigation guy who knows those streams, it sure would help us a lot. Again, all we have is a list of sites that a computer gave us; is not like we are picking sites. We don't have the luxury. If you

picked the site, it would blow your whole design. So we have to go through our list and do the best we can. And, again, my guys are sitting there in their office just going, "What is this place?"

MR. LOUX: How many more questions do we

have here?

Two others.

MR. CLARK: Stephen Clark.

Given the different soil types, weather patterns and things of that sort, eco regions, do you see value in separating the Sac Valley from the San Joaquin Valley? Or is just going to be a lump or split type of a probe?

MR. HARRINGTON: We kind of talked about that a little bit. You can kind of split a little bit. Like you are only working with 50 or 60, you start splitting too much, you lose your confidence. We do tend to lump at first because this is the first time ever in the history of the United States or since -- we shouldn't have to go back that far. Since '72 when we started pumping money into fixing water quality in the country, that we are trying to answer what is going on. We are starting off with baby steps. We might lump it all and then try to

split later.

MR. LOUX: Bill.

MR. THOMAS: Sorry being late.

MR. LOUX: State your name.

MR. THOMAS: Bill Thomas, South San Joaquin Water Quality Coalition.

I wasn't invited to this meeting that you recently had where you laid this out. But the next day we had a water quality coalition meeting with some of the waters that Chairman Longley was talking about. And David Cory, who had gone to your briefing the other day, had called me with some alarm and said, "Do you know that Fish and Game, working with the Regional Board, has devised this program and has identified maybe some 25 sites in your area?"

I said, "Holy, god, I didn't know that." I said, "Fax it down because we certainly want to discuss that at the board meeting."

And we did. And in addition to the ephemeral nature that Karl has just mentioned, a number of these particular sites are really on private property, not just access to get there, but some of these channels are themselves, you know, owned. Much different going to a roadway and dipping in the

water, than going down and sampling somebody's realty. So there is particular anxiety on the private property nature of this, and a number of these are conveyance channels that people, when they are dry, they are mowing or putting herbicide on. The are trying to keep vegetation --

DR. LONGLEY: Bill, if I can interrupt. I have to take responsibility. I should have called David and I didn't. He had to leave, and after he left the meeting it came out all he was concerned as he walked out of the meeting fell out. So I should have called him because I see that he was communicating to other people. He didn't have the full meeting.

MR. THOMAS: These were points; some of those I think he did raise, Karl. He told me did he.

DR. LONGLEY: Right.

MR. THOMAS: I'm literally repeating what at our meeting. And so I was directed to respond to Ken and in the mix saying, "We want no part of this in the south valley until we learn a lot more about the program." I say that reluctantly. I am a big fan towards this bioassessment. You really stepped

on some sensitivity and have, at least in certain segments, people making the decision it ain't going to happen in our area. So I think this needs some coordinating steps and to involve the people.

MR. HARRINGTON: In fact, I'd be more than willing to come talk to you about it. In fact, this last summer I worked with Butte RCD and some of the

prune growers and different associations. Again, they are just like you, they like bioassessment. It feels good because it -- some of these people I worked with, I've been working with some of these farmers for a long time. Fish and Game, my first job was the rice pesticide program we talked about it. Some people really think there is some life in some of the streams. You're right, some of them dry up, and they are only used for conveyance. I don't know. Frankly, it is defined by perennial stream and that might be -- we don't go there, anyway. 'Cause all we have -- it is not like Fish and Game. We are just a contractor to the Regional Board. We care because we develop the programs and, frankly, we like to protect fish and wildlife. I like to fish. Fish and Game is a good fit to do this contract work. Even at EPA we are contractors. They are giving us the list, the computer, not like

we are picking them. They are giving us the list, and it is a statistical probability that we are going to go to these sites. Again, we have gone to sites that there is, like, three or four layers of private property to go through to get to the site on private property. We went to a site on Forest Service and we had to go through a bunch of private

property. We are used to that; that is no big deal.

If you want to know more about the program and about bioassessment in general, I would be more than happy to go down and talk to you guys, if you want. Because the other alternative is we don't go to your site. And so I think, again, to me, I would rather be part of the universe of this 'cause it is so big that it is not going to spell out anything bad about your district. You are just going to be part of it. To not be part of it, it would be just be an estimate minus your area. I think it would be kind of nice to include it.

I would like to see more and more work done on the foothills down in your area. I think that is an area we need to work in. I would be more than willing to Tom do that if you want, if they really want to know. That is the first thing, you've got

to really want to understand this biological stuff.

MR. LOUX: Do we have any other questions or comments?

Jeanne.

Anybody else? Trying to meter out the time.

MS. CHILCOTT: I want to clarify something. Since you weren't at the meeting, just a

comment that Jim made. He said he was contracted to the Regional Board, and I just want to remind everybody that this is not a Regional Board program. This is a statewide program that is contracted by State Board, and it is paid for by USEPA.

The second thing was what came out at the end of the meeting was the willingness for various coalition representatives to have Fish and Game come and actually speak to them directly about the project, bring more detailed maps so they really know the sites that were being discussed. Can get more information about that. In fact, the people that are working with Jim and with Pete are going to be making those contacts. I just wanted to clarify that.

MR. HARRINGTON: I'm sorry if I stated the wrong thing. The main thing I was trying to say is

we are not picking; it is not Fish and Game that is picking the sites. We are just trying to do it as part of the effort.

That is.

MR. LOUX: Thanks, Jim.

We have at least five or six people who came in kind of while we were getting going. So why don't we go around and people that didn't get a

chance to identify themselves, to tell who you are.

MS. KHOSRAVIFARD: Maryam Khosravifard, California Department of Food and Agriculture.

MR. DEAN: Nasser Dean, Western Plant Health Association.

MR. LOUX: We have Bill Thomas.

MR. SUVERKROPP: Claus Suverkropp, Larry Walker.

MR. LARSON: Keith Larson, Turlock Irrigation District.

MR. CLARK: Stephen Clark, Pacific Eco Risk.

MR. HARRINGTON: It's okay if I leave now? Thanks. Have a great day. Seriously, call me if you want a presentation down there.

MR. LOUX: Find some streams. Go out and

do some bioassessments.

Margie, talk a little bit about the status of monitoring workshop of the Board and scheduling. You have a handout. If you don't have it, there is some up on the table on scheduling, the latest revisions.

MS. LOPEZ READ: Everybody that is in this group has gone through the process of various discussions about the calendar, about when we are

going to do the workshop and when we are going to do the MRP. So I don't think I need to go into the background of how all that works.

What I want to do today is point out a couple of changes that we have had to make, two of which are tentative changes and one of them is pretty much the way it is going to be.

If you look at this chart, we've added into the process stakeholder meeting because we have been holding those discussions every other week, and it's turned out to be rather invigorating discussion. We've had some good conversations, good dialogue. We have added one more to that. Originally, there were going to be four meetings, and we have added one more. There is a possibility more after that, but, again, that just might be two more and nothing

else.

We also tentatively are working on changing the schedule for that, where originally the next one was going to be the 20th of February. We are having some dialogue with the stakeholders about maybe having that on the 21st. I have -- that probably should be highlighted or asterisked or italics or something. That is the 21st is still tentative and that is to be worked out. The one we added is on

March 8th. So those are all the discussions. We will talk later about the topics that people are addressing in the stakeholder meetings.

The other change that -- let me put it this way: The one change that did not take place, we are still keeping the MRP on schedule. The plan is still to have the final MRP brought to the Board by the June Board meeting. What we have been unable to do is assure that we can have the monitoring workshop in March. So I know that people are working on that, anticipating that. And we really did hope to do it, but, quite frankly, having the workshop in March was very, very dependent on getting the semiannual reports in December 31st. And there were two major coalitions that came in

actually almost a month late. So not putting blame or saying anything about that.

What it did do is it made it very difficult for staff to go through the data and evaluate in time for the workshop. So the monitoring workshop itself will be in May.

MR. LANDAU: Ken Landau. We basically had a choice of pulling together what we could and proceeding under the March workshop, but dropping out the stakeholder review step. We felt that we

had committed to giving the stakeholders a chance to look at our evaluation before it went up fully public and to accomplish both, completing staff evaluation and having the step meant there was no way we could get it to March.

MS. LOPEZ READ: Thank you, Ken. That is exactly right. We could have pushed through and gotten the presentation together just --

MR. LANDAU: We left out some important steps.

MS. LOPEZ READ: Very, very important steps in our perspective, and from yours as well. Being able to have that dialogue, what the data is telling us, what it means, possibly square away any misconception about where the data came from, et

cetera. I think that is a real critical piece that at least this way it still -- we are still going to have to work really hard to get this all together. We have a window of opportunity to talk to the coalitions and other stakeholders about the data first, before the Board meeting.

MR. MCGAHAN: Joe McGahan.

You are saying that the actual workshop, then, is 3, 4 May? That is different than you have.

MS. LOPEZ READ: It was going to be at the

March Board meeting.

MR. LOUX: Three, 4 May is workshop, 21, 22 June is still MRP.

MS. LOPEZ READ: Right.

MR. LOUX: Those are two sort of significant in terms of Board action and Board comment discussion dates.

MS. LOPEZ READ: The other thing we have added to that process, and I think this will help with the MRP, is after that May Board meeting we will go out to three different locations within the region and have active dialogue about the tentative MRP. That will be out by then, and we can have that discussion also with the various groups.

So I think both of those things, the full intent of that to iron out the difficulties and provide sufficient explanation to folks before it actually goes to the Board. And it should streamline the Board meeting itself.

MR. LOUX: Other comments and questions?

MR. HALL: Lenwood Hall.

Just a clarification point. So what I thought I heard is that the presentation will be put together for the March, presentation will actually take place in March for the monitoring, the

presentation of the monitoring activities. My question is: How does the loop work to enable the coalitions to actually review what will be presented to the Regional Board? Is there going to be a time when the presentation is put together, the different coalitions have a chance to look at the presentation, feedback to the Regional Board staff before the presentation is actually made to the Regional Board; is that right?

MS. LOPEZ READ: Yes. What we -- the intent of this process on the calendar is to at the April 3rd meeting to have the working draft. Actually, before the April 3rd TIC meeting, to have the working draft of MRP sent out to the TIC group.

And then at the April 3rd meeting to have a dialogue about it. It may change after April 3rd, before we put out the tentative. In order to keep that schedule, we still will need to get out the tentative on April 6th.

When it is a tentative, there is still plenty of opportunity for public comment either through the TIC meeting or any other form.

MR. LANDAU: I think the question was on the date of the evaluation. March 12th --

MS. LOPEZ READ: I'm sorry.

MR. LANDAU: Draw up one more.

MR. HALL: I was talking about the actual presentation. The workshop that you are going to present to the Regional Board is going to present the status and progress of all the coalitions; in other words, where you are at this point in time.

My question is: How would the coalitions be able to have some input into that presentation and review it before the Regional Board actually sees it? That is my question.

MS. LOPEZ READ: You were right. I am thinking one thing. On March 12th then, that is the date that we intend to be completed with going out

to the coalitions and having discussion about the data. Right now, as I say, staff is reviewing it. They are beginning to write the draft staff report. It is still very, very draft. Between now and March 12th there will be a concerted effort to go out to the different coalitions and stakeholders and say, "This is what the data is telling us. What do you think?"

Probably will be done a little bit differently. Depending on the coalition, in some case it may be by E-mail or communications on the phone. In other cases there may be face-to-face meetings. In

addition to that, we -- by March 19th. So we will put all that information together and produce a draft staff report, and then the intention is to share that draft staff report also with the group, I think?

MR. LOUX: Two shots, one individual coalitions either a meeting or E-mail; and then a second, the whole package, people get to see what the package looks like and make comment.

MS. LOPEZ READ: That is before it actually becomes part of the staff report for the Board.

MR. LOUX: Questions? Other questions?

Does that work in terms of giving everybody enough time and opportunity?

MS. LOPEZ READ: Staff will be working really hard to make this happen. I know it will be hard on stakeholders as well because we won't really have the luxury of a lot of delay and turnaround and time for review and comments. That will be the high priority for the group, and we hope you help us accommodate the schedule. I think that is it.

MR. LOUX: Now kind of on to the sort of the content part. You have, as I understand it, two pieces of the recommendations. One is assessment

completeness and representativeness, and toxicity test control.

I think you are up on the first one, assessment.

MR. HALL: This recommendation, No. 7, if everybody would refer to your handout. This recommendation is entitled Assessment Completeness/Representativeness. The objective of this particular recommendation is to ensure that there is sufficient monitoring to assure water quality condition across the entire coalition region.

The MRP or the tentative MRP actually has a problem statement in the assessment monitoring portion that states all of these different bullets that you see on this page. I am not going through each one specifically, but generally what it is telling you is that a coalition has to have a scientifically defensive long-term monitoring strategy and has to have adequate spatial and temporal components. In other words, you need to be sampling a number of -- an adequate number of stations to answer your research questions. You have to enough timing sequencing here to make sure that everything is defensive so you are enable to do

-- your coalition is able to do that.

Now what we did as a focus group is we tried to come up with some guidelines or criteria that we thought would be helpful for the coalitions as they move forward in trying to develop a long-term monitoring strategy. If you look at the bottom of this page here, where it starts off in the shaded portion, the first consideration that the coalition monitoring groups have to address as they put this plan together is they have to get an idea about from a spatial scale what are the areas or water bodies within the coalition that are potentially impacted

by irrigated agriculture. It is the first question that you have to address.

Once you have a handle on that particular scale in question, we came up with some different bullets or some different points that the coalitions can use as they start selecting the sampling sites. I am going to take a few minutes to go through some issues or points.

The first one is that you need to be sure that you have an idea about the total subwatershed area that you have in your coalition. Basically, here again a spatial scale issue. How many acres do you have? The second question, based on that, is

you need to know the acres of irrigated agriculture that you have in your area. These are components that will be very helpful in selecting your monitoring sites.

Once you have an idea about your irrigated acres, you have an idea about crops grown in your area. In other words, if you have a number of different agricultural crops that are grown, these crops likely will have different kinds of pesticides. So you have to have an idea not only of the crops grown, but the pesticides used on those

crops as well. And a way to get a handle on that, you can look at the pesticide use report for given areas. This will give you an idea about the different types of pesticides uses, different herbicides, perhaps pyrethroids or OPs.

The second or actually the complimentary part of that is to look at where these pesticides are used. You need to know if they are dormant spray use or they are used year-round in the area. This, again, is the criteria that you would consider when you're selecting monitoring sites.

The next bullet here is what we call management plan potential. In other words, if you are trying to whittle your sites down from a long

list to a short list, you may want to look at, for example, does one site have a better management plan potential over another site. This could be a consideration that you could use when you're selecting that as a site or not selecting as a site.

The next criteria are these water bodies: Do they have known water quality problems? Are they on, for example, a 303(d) list? Here again is another consideration that you could use.

Next criteria would be what kind of planned

monitoring or historical monitoring has actually taken place at certain sites in your coalition. If you have certain groups that are going to monitoring a site, for example, and have complimentary data to you are interested in, you may not need to sample that site. You can use your resource and perhaps sample another site.

The next consideration is what I consider to be one of the most important, and Jim Harrington talked about this previously. This is the logistical access issue on criteria. In other words, are you able to get access to certain sites. This is a real problem obviously in a lot of areas in the Central Valley.

The next criteria is the presence of hydrologic facilities. In other words, do you have certain flow gauges that might be present at a site. If you do, this might be an advantage to select a site near that flow gauge versus one not near that flow gauge. There are hydrologic conditions that one must consider. In other words, the frequency of flows. Do you have flows year-round at the site? Is it a perennial site or is it a very ephemeral site? There again another consideration.

You also have to be concerned at least in some of the areas whether you have influence of urban as well as agriculture or industrial discharges in the area.

Finally, the designated use of the water body. This is another criteria that you could use in selecting your final pole of sites for your monitoring program. And, I guess, the final point to be made with this, if you look at the recommendation part is that we are really not, as a focus group, recommending any new changes in language be inserted in the MRP. This is more of a guidance recommendation to help the coalitions put together the long-term monitoring strategies.

With that, I will take any questions.

MR. SUVERKROPP: Claus Suverkropp.

I guess my one question that has come up before with the concern about the site that has been 303(d) listed or have in this language in the tentative MRP known as water quality impairments. My problem is that the very vague definition, what constitutes a known water quality impairment. Without any really specific criteria for that, it makes it kind of difficult to use that part of it.

MR. HALL: That is a good point, Claus.

The way I would address that, whenever the coalition scientists/representatives that are putting together the monitoring plans are meeting with the Regional Board staff person that is responsible for your program, you need to talk through that particular issue. You might say this site has had fish kills or this site has had some problems in the past.

I don't know that you can actually put a quantitative ranking or away to address that from a quantitative standpoint. You have to sort of talk through that. You may think it is an area that is impacted. You share that information with your project officer and you work through it. That is the only way I know to answer it.

MR. SUVERKROPP: It kind of comes down to

--

MR. HALL: Judgment.

MR. SUVERKROPP: -- best professional judgment, whatever you and your staff liaison know about the locations.

MR. HALL: That is the way I see it.

MS. LOPEZ READ: Just add to that. I think the intent of that, the original language was because we don't want to limit just to something

that might be on the 305 list or 303(d) list, per se.

MR. SUVERKROPP: I understand the intent.

MS. LOPEZ READ: People in the territory know other areas that may or may not be in jeopardy. The intent was to maximize on that local knowledge.

If I could add another comment on this particular recommendation. I think it was a really good exercise for the group to try to go through this and try to understand what staff was going through when they tried to put that language in the original MRP in October, because it really isn't easy to try to figure out how you say what is required in a long-term strategy. We are dealing with such a diversity of area throughout the whole

region. So I thought for that particular the whole process was very good.

But I also think it is important to point out what this does; it defers the actually technical discussion. So following a recommendation like this means that there will be a technical discussion when the individual coalition MRP plans come forth. That is where we will really get down to the nitty-gritty of is this sufficient, will it cover it, and, if so,

why.

I just want to make that point pretty clear. How we do that? Remains to be resolved.

MR. LOUX: Other questions?

MR. VARGAS: Al Vargas.

I was just curious, what role, if any, does the knowledge and inventorying of irrigation systems, drainage patterns play in any of this? It seems to me if you have property dominated by a certain cropping pattern, like the permanent crop under drip irrigation, relatively level or very little drainage channels out there, need to be considered in design and in sampling.

MR. HALL: I think that is partially one of the hydrological components, and here again it's going to get back to the coalitions providing strong

rationale behind selecting a site or, perhaps, not selecting a site. Basically, what you said, if a site is not going to be impacted by irrigated agriculture, here again this is one of the major themes behind one of the sites that you are going to select, if you can show it is not going to be impacted, then you wouldn't need to have that in your pole of sample sites.

MR. THOMAS: I would think that it is somewhat included and not expressed in the second to last and third to the last bullet points dealing with hydrologic material, isn't, i.e., parens part, but certainly I can envision if you had a whole area that was mostly in drip and now we converted down to areas that might have, you know, a lot of field crop with little runoff, those hydrological considerations, as referenced here would be part of that evaluation process.

MR. LOUX: Stephen.

MR. CLARK: It is important to know the focus group participated in drafting this problem statement and didn't intend this to be the universe of all issues to be discussed when developing long-term management strategies, in site selection, laid out a framework for a lot of the issues we're

dealing with. There are clearly other items that might come up for a particular subwatershed or particular coalition that could be brought to the forefront in terms of their selection.

MR. LOUX: Clarify. The recommendations suggest that you are not going to add any new or additional language, guidelines, technical guidelines. Where will they show up? Where would

they be accessed, these guidelines, that are not actually in the MRP itself? Will the people get a handle on these and know about them?

MR. HALL: They will be distributed to all the coalition leaders and from there the coalition leaders would provide the information to the individuals responsible for designing the monitoring programs.

MR. LOUX: This would be additional information, additional guidelines for the MRP?

MR. HALL: As Stephen said, he's absolutely right; this is not the whole universe of criteria. Certainly may be others that will come in here and give the coalitions the opportunity to present those and provide the rationale.

MR. THOMAS: That would certainly be the way that we were thinking about it. But I could

envision it if better if we have, like, some of the guidance components in the waiver for determining what is a discharger. This could be referenced as some sort of addendum or clarification information point attached to it. We had talked about that, but envision that might be a viewpoint.

MS. LOPEZ READ: I will add to that. As

it looks as though we are forming this right now, we are intending to have some information sheet accompanying the MRP and part of that is an information sheet will include the TIC recommendations. We want to talk about the whole process.

This has been a very unique process from the Technical Issues Committee and the stakeholder meetings, our involvement. We want to describe that as well as include information about the recommendation and have that part of the document. Probably even the recommendations that were not incorporated. It should be there.

MR. LOUX: Other questions and comments on this particular --

MR. ODENWELLER: Dan Odenweller.

Did I read this correctly, then, the recommendation, that the intent was to provide some

flexibility to the coalitions in developing a technically sound and scientifically defensible MRP as opposed to putting everything in boilerplate?

MR. HALL: Absolutely correct.

MR. LOUX: Other comments? Questions?

Who was the focus group who worked on this?

MR. HALL: Toxicity Triggers Focus Group I

think is our official name.

MS. LOPEZ READ: Is how it started.

Doesn't make sense now.

MR. LOUX: You all know who that is.

Anything else on this one, on seven? Pretty comfortable with what that is saying?

MS. LOPEZ READ: There is another piece to this discussion, if you don't mind. I am sorry, I didn't elucidate that very well on the agenda. But Orit at our last stakeholder meeting had brought a beginning of a long-term monitoring strategy approach for East San Joaquin Water Quality Coalition.

So I think if you could talk about that a little bit, Orit. Kind of give you more of a feel for how you would get started on it.

DR. KALMAN: Orit Kalman.

The idea is to bring this to the stakeholder

meeting and to this meeting was to have some kind of discussion of what the long-term monitoring strategy is, how it is defined, what it would entail and in addition to that how it would be evaluated in terms of success. As time goes on, it could be revisited and modified to fit the needs of the coalitions.

So you can see here the way we so far have laid out this strategy. We have attempted with a definition of objectives and success criteria of what the long-term monitoring strategy would entail and then below that the long-term strategy where there are four different approaches to monitoring based on the need to find the long-term monitoring program require.

Did you want me to go through each step or did you want me to go --

MS. LOPEZ READ: We do have time. It might be helpful to the group for that.

DR. KALMAN: I think what we were just presented would go into one component of the strategy. So I think it was question before, this is not the complete strategy, but only a component of it. Maybe I'll go through each one.

We have attempted to define the strategy as going beyond identifying exceedances, but looking

into finding out what are the processes that conjugate to the impairment, and what means would be needed to improve water quality in a coalition region. And we identified four objectives that the monitoring program would address.

One would be to track the long-term water

quality trend in the coalition area as a whole. Identify water quality impairments in specific subwatersheds. And then based on these water quality impairments, then the objectives would include determining or identifying causes, sources of water quality impairment. Process, that would fit into this category. And lastly to support the coalition's process in addressing water quality impairment.

And along with these objectives and success criteria would be not just to show improvement in water quality, but also to show compliance with the program requirements, being able to identify the important sources of causes of the impairment in the area. That then would lead to being able to adopt management practices in the coalition areas that are identified to be related to irrigated agriculture and overall to show improvement in water quality area with the coalition.

Any questions on that?

The purpose of this was to kind of jump start a discussion, but what the strategy is. So I don't know if there are any comments on it or if you would prefer me to just continue.

MR. LOUX: Just go ahead, take questions when we are done.

DR. KALMAN: Based on these objectives and success criteria, there are four, a four-tiered approach. You can just see it -- a picture is worth a thousands words. In the back there is a flow chart that would show how these different four types of monitoring programs would fit into the whole strategy. The knowledge building monitoring program would be more of a core, few selected sites that would be placed at -- more in a downstream areas that would be monitored continuously. By continuously I don't mean every day throughout the life of the program. What they intend to overtime develop a trend of what the water quality coalition is at a whole. Kind of a state of the area process. And intended with that would be the regulatory monitoring. That is what you presented, the different parameters that would be included. That is where that would fit in. Where you would

identify random sites throughout watershed that would rotate from year to year, from one period to the next, and those would be best potential risk to waterways. Some of these items that Len presented is a very comprehensive list to be used to identify

those sites in the watershed.

And based on result of these monitoring, if there are no observed exceedances, no further action is needed at those sites. You would be proceed to identify new random sites in the coalition areas. If exceedance is established, then you would move to the next level of monitoring. That is more specific to the beneficial use impairment in the water quality impairment that had been identified.

If you look on the far top right side, it says no observed exceedance. It goes back to the monitoring building requirement that shows -- to show that this is a continuous program which you keep continuously monitoring to see whether there is a trend, regardless of whether there is an exceedance or not. Want to make sure that that is clear.

Assuming that the exceedance is established, then there would be more specific monitoring that is really designed, based on that water quality

impairment that has been identified, to either identify the fact of processes that affect this particular impairment or look for sources that affect the impairment. And from these kind of

monitorings, there may be four types of results that would be evaluated. If there are natural conditions that are not related to agriculture practices, those results would be reported, and the coalitions would not need to have any further action based on these results. If agriculture practices have been identified to be the cause of the water quality impairments, then there would be management practices and a management plan that would be implemented then. And the loop is really to show a deductive process where you would continuously ensure that these management programs are working to resolve the water quality impairment.

There is an end point where exceedance is addressed, and you continue to maintain the management plan.

If these are non-farm related activities, again, you would report these results with no further action. If there is no conclusive result to what contributes to a particular water quality impairment, could be upstream source contribution,

then you would go upstream to identify and repeat this process of source of monitoring.

I think that is pretty much where we are right now with the concept of this long-term strategy.

The idea is really to better understand impairment, water quality impairment, in the coalition area. And then where there are problems then to have a more focused study to be able to resolve it with the end points that are shown on this chart. That is it.

I would love for us to have some kind of conversation about it, not even just about the specific of the types of monitoring, but even just about what the long-term strategy monitoring is.

MS. COHEN: I have a question on the four sources. There are upstream source contribution as agriculture practices. Those could be overlapping, it seems like.

DR. KALMAN: That is true.

MS. COHEN: As focal sources upstream. I was wondering if you intended something, some exclusive thing with the upstream sources.

DR. KALMAN: You are still not at a point where you can develop a management plan. You still need more information from upstream that you could

better identify your source, processes that affect the water quality impairment.

MR. SUVERKROPP: Something like

unidentified upstream sources that would take you back into the loop.

DR. KALMAN: Right. It would require you to go upstream monitoring in the different locations.

MS. LOPEZ READ: I have a question. One of the things we struggled with is how do you account for changes that occur in the land use. Over time there may be different crops would come into play. Maybe you chalked up a place with no further action. But maybe something else occurs, different type of crop, maybe they start planting strawberries instead of alfalfa or they build a city there.

How do you go -- where in this loop does that go back and account for it? Or maybe you haven't worked through that.

DR. KALMAN: You can add to that climate changes year to year. It is all quite random. But I think the idea of having those two top components where you have knowledge building monitoring, core monitoring, where you can look at the coalition area

water quality trends over time and the fact that there is regulatory monitoring that is based on random monitoring sites, would over time allow you

to keep check in some way. Because you may be monitoring the same site year after year and every year have completely different results. That would lead you to a different outcome.

MS. LOPEZ READ: You have thought about frequency of monitoring?

DR. KALMAN: Haven't got there yet. I am really keeping the best for last.

MR. SUVERKROPP: Super crop, I guess. Do you have a sense of what the time frame or the cycle, the time cycle, would be for one of these effect/source oriented monitoring elements? Maybe that would depend on the constituents you are interested in.

DR. KALMAN: If you look at dissolved oxygen, you have changes versus best site. That adds a periodic application. I am not really sure how we could go. My sense is it would be constituent-specific.

I would love any kind of input or suggestion at this point. That would be great.

MS. COHEN: You mentioned random. I am

wondering if this is a rotating site, where you are supporting monitoring, is this the criteria that

Lenwood was talking about? It wouldn't necessarily be random; you would be using some criteria to chose some site. It is not random.

DR. KALMAN: It is not completely random.

MS. COHEN: I was thinking it wouldn't be random at all. You wouldn't want to use the criteria. Is that a connection? Am I making that connection properly with Lenwood's list?

MR. HALL: Wendy asked a very good question. One of the key ingredients of putting this long-term strategy in place is you have to think in terms of large scale with your design. In other words, you have two avenues you could go down. You have a problistic design that Jim Harrington was talking about for the bioassessment program, which is a very well structured designed statistically. You can ask a lot of questions and answer questions doing that. Or you can have a targeted or deterministic design where you have a set number of stations that you are sampling every year or every other year. You could also have some sort of hybrid design where you could have core sites that you are going to sample every year in the coalition, and

then maybe 50 percent of your sites every year could be randomly selected. A number of different ways

that one could put a program together to address the research goals of your MRP.

I think maybe that didn't come out enough in the initial discussion. That is certainly an option for the coalitions to consider when they put the strategies in place.

MS. COHEN: Maybe there could be a random component.

MR. HALL: Absolutely.

DR. KALMAN: I mention the regulatory monitoring would be -- the sites would be selected in what we call potential risk to waterways that include some of these parameters that were listed by the focus group.

MR. CLARK: You could take Jim Harrington's problistic approach and categorize a whole variety of streams with these various listing items. From that certain subcategory you can problistically select some subset of sites. You then could have the challenge of same thing Jim is doing, site access, that sort of thing. Definitely one potential sampling model that a coalition could propose or mixture of the two.

DR. MARSHACK: Jon Marshack.

Question on the natural conditions. I am assuming that we, as a coalition, would identify certain areas that would have certain natural conditions that are going on, so if we have something like a boron hit which would be in Contra Costa County typically, because Mount Diablo in that area coming down. Then I would think maybe stop or whatever the upstream source contribution going, trying to find something upstream because you know it is coming out of Mount Diablo or in that soil type or in the Delta where we are having every time we are definitely with salts, and so that is an identified condition of the Delta.

Is that sort of what that means? Does that fit with staff's thinking? We have a difficult time every time we are sending reports in that we're always exceeding in salt; doesn't matter time of year or anything else.

MS. LOPEZ READ: I think you are talking about a combination of Orit's table here with natural condition and just our own process of management plan. You have exceedances, how you address it. Really from staff perspective, that is all tied to the source identification issue. Part

of that management plan is identify where it's

coming from. Background, validate that. And I wouldn't stop quite there. You would need to show that agriculture is not making it any worse. And if there is a TMDL involved or for a particular contaminant, then there should probably be some appropriate participation in the TMDL.

MR. LOUX: Ken.

MR. LANDAU: If I understand the question correctly, I think that is addressed. Concern is with the upstream sources, you have the infinite loop going here. But once you iterated once or a hundred times or whatever, and you have determined what the source is, then you are into one of the others, natural condition, add practices or not. So how many times you have to loop is unclear, but I think the issue is addressed in here.

MR. MEEK: Thank you.

MR. LOUX: Other questions or comments on this specific framework?

MS. TURNER: Melissa Turner.

I just want to reiterate, read my sense. This is very general, to see if there is along the lines of what staff wants in a long-term management. I don't believe other coalitions -- something that is

missing that other coalitions think should be fit in before she goes starts discussing frequency and exactly how to select a site for regulatory monitoring, that sort of thing, all those small little details. It is not worth the time to spend on those details if it is not going in the right direction.

She says she wants more discussion and comment. I think that is where that is coming from. Is this in the right direction? Is this suffice, is it covering all those areas that need to be covered before getting into all those details?

MS. LOPEZ READ: So, I guess -- are you asking for an answer?

DR. KALMAN: I want a stamp of approval.

MS. LOPEZ READ: Signed, sealed and delivered. Ken? No.

MR. LANDAU: A stamp.

MS. LOPEZ READ: I guess how we incorporate this remains to be determined. I think that you have some very good ideas here. And I think it is also interesting to me as we are drafting the MRP, we are also trying to break down different types of monitoring as well. So they are not exactly what you have here, but in some ways

very similar. I think that there is a lot of this whole concept that we can support very much. I am looking forward to the opportunity to share our working draft MRP with everybody here and get your feedback and see how all that fits in.

We are still in the tweaking mode, so it's still not too late to tweak. I myself don't individually make those decision; we do it as a group.

MR. LANDAU: We will be tweaking till the Board adopts it.

MS. LOPEZ READ: I think you are right. That is true. I think the most effective time --

MR. LANDAU: And probably after.

DR. LONGLEY: You will tweaking while the Board adopts it.

DR. KALMAN: What I hear from you is that we have to wait until April, sometime in April, when you have that MRP to share with us.

MS. LOPEZ READ: Before we make comment on this?

MS. COHEN: March 20th.

MS. LOPEZ READ: What we can do is commit to taking a look at your individual approach and asking questions and making -- providing clarity,

whatever. We could do that. We can do it before the next TIC meeting or stake meeting, or both. But I really think that the commitment to have it before the April 3rd meeting is really the first time we can actually show you, this is what we are thinking. And these aspects of it are very similar to your approach, which would be nice.

DR. KALMAN: From a coalition perspective, we don't want to go in the wrong direction. It would be nice to have the information, being that this coalition is being proactive about addressing the long-term.

MS. LOPEZ READ: I know. I think that is excellent, but we do have a process. Before we actually put that out, we want to make sure our Executive Office is comfortable with our working draft. We have that step to go through. Right now staff is going through it with a fine tooth comb and providing comment internally. Still making changes, and then we will bring it forward to the Executive Office, and this is okay now to share with the public, the TIC and people that have been working on this.

MR. LOUX: Bill and Ken and Al.

MR. THOMAS: In the interest of feedback

or prompted feedback. The other coalitions, we saw this at the last meeting. Given some thought to it, and it seems sound. I don't see it as inconsistent with some of the principles Lenwood outlined or talking about on-site locations. I think the amendment that you made relative to natural conditions was a good amendment.

MR. LOUX: Ken.

MR. LANDAU: Just a couple comments. One is thank you for the effort. I think it is very helpful. We may have some issues of we don't call something knowledge building monitoring, but the concept is very important. And I am not totally just sure where -- the MRP hasn't floated up to management yet. But I think we can certainly provide feedback on this. The concept is that it is part of our thinking process. We are trying to figure out what is the minimum amount of things we can be asking people to do to get what we need and allow the program to move forward without bankrupting everybody financially and timewise and everything else. The concepts are very important, I think, to the extent that we have some dialogue on that. We might not be to the point of comparing Paragraph 14B and trying to line it up here. But I

think the discussion is very important to help us move forward.

MR. LOUX: Wendy and Al.

MS. COHEN: I want to point out that on the schedule that you have here, it shows March 20th of getting the working draft of the MRP. That is when we are aiming for getting the TIC the working draft, and then it would be discussed at the TIC meeting on April 3rd.

MR. LOUX: Sounds like you have two opportunities for feedback. One informally now and then, based on what you've done, and the second one compare it to the draft.

Al.

MR. VARGAS: Al Vargas.

One of the issues I kind of always had a problem with is upstream monitoring because it suggests a point source you trying to chase and identify, and I don't think that is the operating model. It is nonpoint source, at least in my mind. To continue to chase something upstream suggests not only nonpoint source, but continues source till identified. So I never really understood.

I am wondering, you look at data, pesticide, look at what is being used there and what crop

system you have and look to applying some management practice. That is the other issue I have. What if you don't have a management practice like pyrethroids. I haven't seen where anybody has identified a practice that works on that. We were at the California Science Conference, a paper presented that looked at various practices; and the best one was by far Pam, and even that you still have toxicity in the water. Even though reduced sediment load by 90 percent, you still have toxicity. I am not sure how to deal with. The upstream issue is troubling.

MR. LOUX: Fred.

DR. LEE: I think you are creating a monster out of this approach. It would be far more effective to focus upstream monitoring to the edge of the field, to the end of the have condition or land use, for chemical use, for agricultural practices. I think we can set forth a number of conditions. Go study those. See if, in fact, coming off of those fields, those study fields, you are having violations of whatever it is you are after. That will certainly get you to the point of knowing whether you have a problem or not.

This business of monitoring downstream and

trying to go upstream when you have stuff coming off the field is very variable, so many things affecting that. You are likely to never really solve anything till you get to that. I don't like it at all. I would prefer to go the other way.

MS. TURNER: Melissa Turner.

I think with this approach you sort of get that option to do either way. You have the option of going upstream and being more specific if you think that would help. For example, there could be a natural source issue. If you are not sure there is something coming, like DR. MARSHACK coming off Mount Diablo, is it something that is a natural occurring issue of metals being in the sediment coming down. How do you figure that out if you don't go above agriculture? It could be that your upstream source, you said it before, could be giving you more information of what your problem is. So you may know that you have an exceedance. If it is something more like a pesticide, you could look at your pesticide use report and you can figure that out better. But with a lot of other constituents, we have other issues. Sometimes upstream sampling is the only way to go; sometimes it is not the way to go. This allows you a few more options to

explore rather than make it too pinpointed. I think that is where that sort of came in.

MR. LOUX: Dan and then Bill.

MR. ODENWELLER: I had -- initially didn't react to it and after the discussion I'm reacting to the regulatory monitoring and knowledge building monitoring titles. I think that comment was right on, that I doubt there are very many people who would be participating in knowledge building monitoring as an activity that was unrelated to regulatory monitoring, and probably talking about regulatory monitoring that provides either information on exceedance or no exceedance. And maybe that is the way to split it.

And then I'm looking at the box over here on the left-hand side where we have no observed exceedance, no further activities needed. Does that imply that in regulatory monitoring if we're monitoring a station and we don't get an exceedance we stop monitoring it?

DR. KALMAN: It is not -- the regulatory monitoring is not meant to be a one-time monitoring. It's periodic monitoring.

MR. ODENWELLER: That is what I understood it to be. The looping should go around to --

DR. LONGLEY: It does on the other side.

MR. ODENWELLER: We may have an extra box up there was where I was heading. If you title the whole thing regulatory monitoring and then had exceedance established and no observed exceedance, and then back to regulatory monitoring, up might solve the motion.

DR. KALMAN: Maybe I should clarify the difference between knowledge building monitoring and regulatory monitoring. Knowledge building monitoring is -- I think of it as it is with storm water program monitoring where they go and monitor the same site year after year. It's just a continuous program. Where the regulatory monitoring is really meant to identify points throughout the watershed, and then over time by using different sites, and a random maybe is not quite the correct word for it, they would be based on the various parameters. Over time you may be able to characterize the sites based on land use or crop type and so forth, but these parameters that we are using to characterize these sites.

So it has a double purpose. One you would be able to use it to identify impairment, but also to

25 characterize a watershed based on these parameters

1 that you're identifying for the sites. Where the
2 knowledge building monitoring is just a long-term to
3 allow you to have -- to allow you to be able to
4 understand trends in the watershed. If you are
5 looking at a site every few years, you are going to
6 look at different sites. You are not creating a
7 long-term database that allows you to understand the
8 watershed as a whole. Maybe very close to state of
9 address, but I kept thinking of it as just a
10 condition of a coalition, the state of the coalition
11 areas as a whole. That was the purpose.
12 MR. ODENWELLER: Did you intend there to
13 be two categories of monitoring, one regulatory,
14 which is part of the monitoring strategy that we're
15 developing, and then there is another thing that you
16 are going to be planning on having which is
17 knowledge building monitoring? And I guess my
18 concern is that I can see some reluctance to fund
19 the knowledge building monitoring out of the
20 coalitions. And maybe I am reading it wrong, but
21 that is just my --
22 MR. LOUX: Bill had his hand up, and
23 Stephen and Karl; four hands. Start around this
24 way.

25 Karl, go ahead, and then Bill.

DR. LONGLEY: Is this -- this is basically a baseline/trendline; am I correct? Is this monitoring? I know what you are doing. Is this monitoring a requirement under the waiver, or will it be a requirement under the MRP?

DR. KALMAN: I don't think a requirement. I think of those programmed together, meeting the requirement.

DR. LONGLEY: Then it is a requirement.

MS. TURNER: It is not a requirement to point it out, but it is a requirement to have your whole program monitored.

DR. KALMAN: The idea is rather than having sites that are -- that work throughout the coalition areas, you never -- you would have few sites of those.

DR. LONGLEY: And you will probably have better flow monitoring there than everything else. I would suggest that you call it something else. Maybe baseline.

MR. LOUX: Baseline and trend, status and trend. Something like that.

MR. LOUX: Knowledge based sounds a little

academic.

MR. THOMAS: I just wanted to respond,

build on what Fred said. I think the nature of your strategy does in part depend on what you find. We been troubled with algae, the toxicity. And so we in coordination with the Fresno Regional Board and staff have kind of chased that up. Come to find that, you know, we have those problems all the way to the dam release. It is a source in water hydrolyzing issue. I think we wouldn't have learned that if we'd gone down. If we were dealing with a particular pesticide exceedance, you can envision some hydrologic structure where you do want to go up to find out where it is.

In some cases if you went down, you'd get below it. So I think it is too simplified to say we always should go up or always should go down.

DR. LEE: Fred Lee.

The edge of the field monitoring includes upstream source. You will see it in a minute if you do have that kind of a situation. If you have algae coming past your edge of the field monitoring point, you would know that you have a problem upstream.

MR. THOMAS: To go find it, you have to go up.

DR. LEE: Yeah, sure. I don't mind that.

MR. THOMAS: We may have been talking by

each other.

Mr. LOUX: I am saying there is a difference. You aren't saying don't try the field. You are saying the field is the more cost-effective way to go.

MR. SUVERKROPP: I want to follow up on something that was talked about, Al was talking about. I agree completely. The issue with the upstream source tracking for specific point source would really in most of these cases just not be effective at all. It has proven not to be effective in things like toxicity and identifying where pesticides are coming from within specific drainage.

But the same concept can still be used to apply to categorical type sources, i.e., farms that use pyrethroids or growers that have certain kinds of crop type. You have -- instead of a particular farm, you have a particular farm type that ends up in the source. That still can be effective that way, to identify sources upstream.

The other thing, and this kind of gets back to just maybe how these things are named, what they are

used for. I almost see the regulatory or knowledge building label to be reversed in the two concepts with the long-term trend and consistent monitoring

to be regulatory, and then the real knowledge building goes into looking at, kind of determining where the status part of it is the restating, looking at a number of different sites, at types of sites throughout the watershed. Maybe that is the way of looking at it.

MR. LOUX: Stephen.

MR. CLARK: Quick comment on status monitoring. In that there are a whole variety of -- I already changed the name of it -- more variety of regulatory programs throughout California that do exactly that. There is a regulatory base, that follow-up type monitoring has some regulatory teeth in it. Regional monitoring in San Francisco Bay is a status and trends database system. The cooperative monitoring program on the Sacramento River is part of storm water program, is a status and trend. It has a regulatory component to it as well. Down in Southern California they have the exact same thing.

So whether coalitions will choose to parse that out and pay for it, that is outside of my

purview. This kind of baseline condition approach is fairly well benchmarked throughout our staff and a lot of other areas.

MR. LOUX: Other comments or suggestions or questions or other things on this one?

If not, we will switch over to Recommendation 8.

Going, going, gone. Not to be lost. Probably revisit this again.

DR. KALMAN: Can I say I really thank everyone for their comments. When I passed this before, I had my E-mail, which did make it to this page if anybody would like to comment on it separately, I would be happy to give you my E-mail information so you can send me comments.

MR. LOUX: Recommendation 8 from the same group.

Stephen.

MR. CLARK: That is me; that is I. The Trigger Focus Group was asked by the Technical Issues Committee to come up with a process, frame work, for some consistency on how the coalitions would deal with a toxicity test that does not need a test acceptability criteria or TAC. And so we went

over this for quite a few conference calls, quite some time back and forth, iterative changes that I think we are at a point right now where everybody seems to be happy with it. We got some comments

back from Regional Board staff that they were happy with it, but then revisited it again because of some additional comments that came from EPA Region 9.

What you will find on the document here is where we were before when we changed it to try to address Regional Board staff comments. But then we got some yellow text in here which is some components that we added which make it a stronger document or approach.

Basically, there is a toxicity test dealing with organisms, some of which are shipped from vendors across the nation, some cultured in the laboratory. The lab has a very short hold time to get these tests up, some 36 hours. So basically, the data they receive from the coalitions, getting them up and going within the holding time. And then scenarios where a laboratory has a problem with the control, meeting acceptability criteria which are listed on Page 1. We need some kind of flow process for them to follow.

If you skip to Page 2 on the recommendations,

how to address it, Recommendation 1 stays the same. If you met your acceptability criteria, the data are reported as is. Decision Step 2, which is for the acute test. You have less than 90 percent survival.

We added a couple of components.

One is if you meet your completeness objective, which is greater than or equal to 90 percent of your test to perform, your acceptability criteria, your QAPPs for the coalition, then no further testing is required, but you still have to flag and report the data to Regional Board.

In the scenario where you have not met your completeness objective, there is some additional language that we've added to make sure that retests were done and the timing of them. The fathead minnow test were problematic ones because many coalitions sample during middle of the week and the laboratories are testing through the weekends. We can't set up a new test with 24 hours if we can't get fish from Arkansas or Texas or whatever else. They are not being shipped out over the weekend. We added language in terms of business days.

Also indicated -- in fact, I think this might have be added at the last TIC meeting. If you fail

to meet it on the retest, then you have to go out and resample. Bill, we had suggested about that around the horn at that time.

Decision Step 2b is we added some additional language, algae primarily; that a test is not

considered toxic if certain objectives are met fairly -- kind of very specific to those tests. And then again added the requirement to resample at the end of that 2b section on the second part on Page 3.

Decision Step 3 was a dialogue. We had Decision Step 4 and started we were asked to come up with these frameworks for if-then scenarios and would this be toxic and would it not. Operating completely off-site of the realm of the EPA manuals, we were very happy when we got right back to where this was earlier where the other parties came to the table. That is primarily the dialogue that we had with Regional Board staff. If you don't meet the test acceptability criteria and sample results were less than the control, you have to reach out to Regional Board to have some dialogue. This is what we were coining as best professional opinion much earlier on. Then we were asked to develop what that meant.

So we kind of went our full cycle back to

where we are. Where the coalition staff and their technical liaison would be required to contact the Regional Board in one business day to discuss the results, flag them, technically deal with retesting. The fathead minnow component is added in there and

also the potential of recollecting samples.

I think we fairly well hashed it out. There was zero debate really on the last conference call about it.

DR. LONGLEY: Karl Longley.

How difficult would it be to put this into a flow chart?

MR. CLARK: Not too difficult. I thought Karen or Stephanie might have said they had something.

DR. LONGLEY: I think it would be useful.

MR. CLARK: I have to check. I also sketched one out on the board back here a long time ago as well. We could develop a little flow chart so that could be readily done. A lot easier than three pages of text.

DR. LONGLEY: Of course, going back refreshing, you have a situation.

MR. CLARK: A flow chart would be much easier to include in the revision to the QAPP.

MS. TURNER: Question on completeness. I think it was under Step 2. If you were meeting your 90 percent completeness, is that addressed in the MRP of completeness of the entire program history or

season? Is that still up in the air kind of assessment?

MS. LOPEZ READ: People have asked that, too. I am trying -- it is defined now in the draft QAPP. So I believe what it is by a sample batch.

MR. CLARK: I think what we recommended, annually. A sample batch might be five samples for a small coalition, if you have a batch of fathead minnows that falls off the chart. What several people recommended was an annual kind of benchmark. They weren't sure what SWAMP is doing in their own program.

Sandy, does SWAMP do an annual approach?

MS. NURSE: For?

MR. CLARK: For the completeness standard, meeting completeness.

MS. DEANOVIC: Linda Deanovic.

I don't think they defined it that clearly yet.

MS. LOPEZ READ: It is a little loose. I think even programs I worked with in the past where it is an A discrete program, with a beginning and an end, if you look at the whole program. I don't know how you do that on a continuing basis.

MR. CLARK: We recommended that it be done

on the annual basis. That is where we are recommending annual reporting, or maybe a biannual basis. It still works as well.

MS. LOPEZ READ: The question would be, when you are in the scenario in the laboratory, how do you know which step to take without knowing where you are in the year?

MR. CLARK: The reason that wasn't included in here in the list is we asked the same question and Regional Board staff weren't sure how to define it at that point. We figured that would come in the draft MRP.

MS. TURNER: It would be -- like Margie is saying, if you were at that situation, this is our first sample event or something like that where you don't know, I could see that would be a difficult decision to make.

MS. LOPEZ READ: Unless you look at that

spot in time as 100 percent of the information, and then keep adding to it as time goes on.

MS. TURNER: If you did an annual, you'd have to do that.

MS. LOPEZ READ: I would say this is something that we could really use some more thought from people, comments, ideas, what do you think

works, what doesn't work and why not.

MR. CLARK: I can add one of the things that we have done in terms of rotating quality assurance, quality frequency for the 5 percent requirement for coalitions, is we actually developed a database where we -- certain frequencies are retained for the Westside Coalition earlier than others. We are doing some baseline monitoring throughout the year. But basically flag us for when we had to hit that 20 percent, 5 percent requirement. The same type of thing I can visualize could be done with a running tally of samples for the lab. Not challenging to do that.

MR. SUVERKROPP: Make a point about using the sample batch as the completeness set. For toxicity that doesn't work very swell. Typically, you have five or seven samples that are -- come batched together for one control. If you have a

control failure, you are never going to meet the 90 percent within that particular sample event, unless you are collecting hundreds of samples. That would pretty much take that criteria off the map, out of consideration if we define it on sample event basis.

MS. LOPEZ READ: I see what you are saying.

MR. SUVERKROPP: You might collect as many as 20 toxicity samples in over three days. You might have three batches out of that. If one of the controls failed, that is a third of your samples that wouldn't meet the TAC anymore. Just pointing out the numbers, that wouldn't work very well.

MS. LOPEZ READ: That is a good comment. Thank you.

MR. LOUX: Any other comments or questions?

Going, going --

MR. CLARK: Please say gone.

MR. LOUX: Gone.

MS. LOPEZ READ: Are you going bald yet?

MR. CLARK: My wife and daughter said I was, actually.

MR. LOUX: That completes the

recommendation piece. The next piece that Margie is going to talk about and we are going to have some general discussion about, which is how these stakeholder meetings are going and what you are learning and how they are doing, where you go from there.

MS. LOPEZ READ: You know, stakeholder meetings have really been interactive, so I -- a lot

of people in this room are also participating in the stakeholder meetings also. I think what I would like to do is just say, one, we have the meeting notes as of January 23rd here. If people have not been participating and you want to just look and see what some of the discussions are. And then I will bring it back to the one theme that certainly is common with what the TIC has wanted to talk about, and that is the data quality objective issue.

Before I get into that, is there anything else regarding the stakeholder meetings that people are participating in to make sure that people in the TIC group are aware of?

Bill, you have been participating in?

MR. LOUX: How many people have you been getting?

MR. CLARK: More than 30, usually 25, 30.

MR. THOMAS: Did you say we are going to talk about some of this? I lost track of what you said.

MS. LOPEZ READ: What I would like to say is that a lot of this doesn't pertain to the Technical Issues Committee so much. But the information on what has been discussed is here for the group. What I would like to get back to and

discuss, because of the overlap, is data quality objectives topic and how we use standard objectives topic and how we use standard objectives limits.

But before I go there, I want to say are there other things that we have been discussing at the stakeholder meetings that are worth talking about today as well?

MR. CLARK: I think the reporting components are as far as quite a few people in this room have been participating. But the reporting components are kind of critical because we discuss the Regional Board staff has already and Ken has indicated, envisions some changes to exceedance and communication report, et cetera, et cetera. But also discussions of frequency of the reports as well, whether they be the semiannual reports,

semiannual monitoring reports. Lots of discussions about cost and streamlining on that, that others would benefit, at least reviewing those.

MR. LOUX: Item 7 in the notes.

MS. LOPEZ READ: Did you want to talk about what has been discussed on some of those issues?

MR. CLARK: Yeah.

MS. LOPEZ READ: I guess what some of them

mean, topics for the people who were --

MR. CLARK: Sure, sure. I think in terms of a given monitoring event, there is discussion of when you get different pieces of data. Most folks are aware of this. Out in the field we get the field data over one to three days, depending on the size of the region and number of field teams out. We are addressing field frequency of exceedances within 24 hours of that with Regional Board staff, and that might go on for a number of days. Call in this day. Call in that day. Call in the next day. Then you have the toxicity data or samples that are received in the laboratories and overlap somewhat the field and potentially go through weekends and communicating each time we have a toxicity exceedance. We are following up, potentially doing

a dilution series and resampling. So that can add -- and those tests can come in over three or four days as well.

Now you've got this window of upwards of a week to maybe ten days where you are dealing with communications potentially daily with Regional Board staff on exceedances. And then there is the waiting period for the analytical panel. By the way, you have to go back out and resample. Now you have that

same window of time. There is a better part of upwards, in the worst case scenario, 14 potential days of communication on technical monitoring issues, which is about right if you resample for any given exceedance and then a little bit of a gap and your analytical data comes back a week later to two weeks later. Then you have a whole round of exceedance and communication reports.

There was a request by myself and a couple of others in the room to not necessarily leave the Regional Board staff out of the communication tree because they are interested in receiving this information, but somehow streamlining it where there is one effective, comprehensive communication report that goes in on the exceedances. You are able to

bring in integrated data and potentially explain where you have analytical data comes in, and maybe explain some toxicity, for example. So there was that dialogue. That kind of captures that in general, and there wasn't necessarily a consensus, just one of the issues that was raised.

Now on the semiannual monitoring reports there was discussion about changing the date for when those are due. One of those is due in December, right around the holidays, and that there was no

heartache about that. And I know myself and one or two other people in the room encouraged going to an annual reporting process just simply because you are going to do it twice. Doing it once you are still dealing with a lot of data. Just seems to be a little more efficiency approach, just like the storm water program deals with, where there is an annual monitoring report submitted in October for storm water monitoring.

Those were the two general topics. I don't know if I missed anything in those reporting areas.

MR. HALL: Lenwood Hall.

I guess my question is, I agree with what you are staying, Steve. I don't really understand why we started off having two reports a year, anyway,

what was the rationale behind doing that. Irrigation, nonirrigation season. It seems to me what Stephen is saying here is you have a report once a year makes a lot more sense. You are going to save resources that could be plowed back into more monitoring stations, maybe. Just seems that we should think about that, really doing that if it is going to save some money and time.

MR. LOUX: Wendy.

MS. COHEN: Do you want me to respond? I

can give a little history of why that --

MR. LANDAU: You probably know that greater history of that. But I know part of the discussion I was in on. If you only do it once a year, the time for making any corrections gets very long. So if you have wet season monitoring and you find something and you wait until you combine that wet season with the next irrigation season, by the time find you anything and need to make some adjustments in sampling sites, protocols or anything, you may have missed the next wet season.

The big thing we are looking at was there are certainly differences in irrigation season versus wet season monitoring. The reason that they were

lumped together into the two reports was to give some time to evaluate data and make any programmatic changes on anybody's end.

MS. COHEN: That is exactly right.

MR. LANDAU: Got the answer right. Whether that is still appropriate or not, whether actually having any feedback --

MR. HALL: That is my next question. Is it working, having the two reports?

MR. LOUX: Wendy, go ahead.

MS. COHEN: What Ken said is right. In

the revision we went to semiannual reports because it was found that with the one annual report then, like you said, you get it. We had it in April in the original MRP. You get that report and then you're already in the next irrigation season by the time we are able to review it.

So we thought have the time period of the storm season; you get that in June. That gives time to review it and get some comments by the fall. Make any corrections by the next storm season. Likewise with the next irrigation season. You get that report, as I understand, in December. You make corrections before the next irrigation season. We are looking at changing some dates because of the

December time period is kind of tough.

MR. LOUX: Melissa.

MS. TURNER: Something that was discussed after the fact. Another openings would be maybe to have a scaled down report throughout the year. Have one major annual report where you do your major interpretive analysis of what is going on, what management practices have been implemented, how are those affecting your monitoring. But then throughout the year to keep the Regional Board up-to-date with reports with -- they is not

exceedances, but kind of just a summary of, I don't know, every three months or every six months, but this is the data we have to date. It is not based on season, per se, but this is kind of maybe some number crunching, just very basic analysis, if that, and then at the end of the year you could do your more interpretive analysis. Kind of get your labs to make sure there is no issue with quality assurance, to make sure monitoring is going well, your completeness is adequate. But then your interpretive, which I think is the crux of the whole issue, is on an annual. Maybe you do want to crossover between wet. If there is mostly you are

not just doing irrigation or wet. That was kind of another option that was brought up.

MS. LOPEZ READ: That was somewhat the post-meeting dialogue that took place at one of the stockholder meetings.

MS. TURNER: I think so.

MS. LOPEZ READ: We do try to capture that here. That is one of the options that we have discussed. Seems to have some merit.

MR. LOUX: Bill and then Claus.

MR. THOMAS: I was going to raise another point.

MR. SUVERKROPP: I was going to the exact comment that I was going to make there, is that if the Board needs to see two sets of results for the year, to keep track of different seasons, what needs to change for the following year, perhaps we can do a more comprehensive annual report and a post storm season report or however you want to define that other report to just pleat exact requirements for reporting that the Board staff needs to make whatever assessments that they need to make for the following season. They wouldn't necessarily put it all the components, but comprehensive. Definitely cut down on the amount of effort that we do take in

both reports.

MR. THOMAS: I don't want to drag this part out because I am anxious to get to the objective study. I just want to share the observation that I shared before relative to the electronic data submittal. I am not troubled by any of the language, but the coalitions, at least our coalition, we are going to submit electronically to you what we get from our laboratories electronically. We are not going to manipulate the data, change data around. We submit these reports under penalty of perjury. I am not going to allow

Dave Wors [phonetic] to put himself in legal jeopardy by manipulating data.

I suppose we are very sensitive to it. I am very sensitive to it. But I know there are other individual lawyers here as well. Marshall and I deal in added support pesticide regulation, and we do millions of dollars worth of studies. The notion that we would change one format or change one data point in what the study director does would be incomprehensible. So we will sure submit directly on what we get, but we are not going to start manipulating data and retransposing numbers.

Mr. LOUX: Sandy.

MS. NURSE: Along the lines of electronic data submittal on January 23rd. I am wondering about the clarifications, staff clarifications, which would be on page -- well, it is the last item under electronic data submittal. It kind of goes to what your coalitions then to report in the ILP database format. Then if at some later time or a different time an up-loading to SWAMP database is to be required, ILP would be responsible for that up-load.

MS. LOPEZ READ: That's correct.

MS. NURSE: ILP database is going to be

provided for the reporting of coalitions' data.

MS. LOPEZ READ: It actually already is available, yes.

MS. NURSE: So that was going to be set for toxicity for chemistry for all parameters? That will be the one to be reported to you through reporting for toxicity, for chemistry, for the parameters that needed to be reported.

MS. LOPEZ READ: What is not available right now is something that has been discussed by the TIC, and that is the crosswalk between whatever program the laboratory uses, CETIS, and the ILP

database which we are using that term now because it is slightly different than the SWAMP database. We had to make that distinction because the SWAMP node that is now being used. We wanted it to come to the Irrigated Land Program first before it gets uploaded.

MS. NURSE: You are now talking to CETIS about the SWAMP talks to the ILP database?

MS. LOPEZ READ: I'm not.

MS. NURSE: That is what is under consideration?

MS. LOPEZ READ: Yes. That is on a to-do list.

MR. CLARK: Sandy, we have been -- I don't remember which coalition we heard it from, but we have been instructed, maybe it was directly from Margie, that we no longer need to enter the data using the SWAMP macro; therefore, it is not going to convert it over to a particular key pass. It is not going to change the outcome of how we do our testing as to EPA protocol. That is where it is kind of fitting to the ILP approach instead of trying to figure out when and where SWAMP will ever address that particular issue of macro.

MS. NURSE: That is what I am trying to get this to say. In other words, to be very clearly stated that the ILP database is going to be the one making the read. And then any time a laboratory can directly download from their database to the required electronic format is where you get your confidence and where a lab manager or laboratory director can confidently sign that report under threat of perjury that you have not changed any data even by accident. So, these crosswalks between the ILP must be between not just the CETIS database. But most laboratory main symptoms can talk to many other kinds of databases.

So I am encouraging ILP to be

all-encompassing. Some of the contracts that our laboratory services, the most sophisticated ones demand that the down load of date is direct, it is not human reentering data. 'Cause you really cannot really be 100 percent, ever say that you don't have an error. So I am encouraging not to just talk to CETIS, to down load to ILP database, but talk to other IT managers that have to down load to the database. I would love to be able to directly down load any data that Sierra Foothill Lab is generating for its coalitions directly down to ILP database.

MS. LOPEZ READ: I want to make sure I understand you. It sounds to me that what you are saying is that you would like the ILP database to be somewhat of a limb system that produces reports from a laboratory focus. That is not --

MR. CLARK: What the lab would have is they would have the database format from ILP that their IT folks can look at it and go, "This is how my limb system will populate those cells so I don't have to go in and key enter it and worry about the transcription error that say can come back later and say you perjured yourself, you didn't enter this. They are dealing with instruments. We are dealing entry database for CETIS. Both ways, if you can cut

out one more entry point, make it automated from the instrument to the database, that would be perfect. It can't be transcription based.

MS. NURSE: It is no difficult.

MS. LOPEZ READ: That is good to hear. I don't think it does that.

MS. NURSE: It needs to be started now. My suggestion is that ILP becomes responsible for any future kind of metamorphosis that you want to do with those data. If you want to recalculate or you

want some other end point in there, ILP would be responsible for that. To come back to the coalition or laboratory and say, "Now we have decided we want you to recalculate using some other formula," that is really a big expense.

MR. LOUX: Let's hear from Melissa.

MS. TURNER: We work with the San Joaquin and East San Joaquin Coalitions. I think we are the only ones that are putting our stuff into SWAMP database currently. I want to just clarify. We work with two different labs, chemistry analytical labs, and they put straight from the limb system into an Excel file, which is set up by SWAMP with look-up lists, with exactly what analytical name, what method name. So they very simply have it

ordered registered in a system. SWAMP comparable, this means that. It takes a little while for them to work out little kinks of what do they need to tell their own system to pull out, how do they need to rename things. There are some things that as a coalition you have to supply. You have to give them your code and you have to give them -- make sure they know the dates and times are specific or specific format and what type of grab sample, et cetera, et cetera. There are a few things that you

have to give them. But once they have that information, they pull straight from the limb system. There is no manual entering, and so I think it already exists.

MS. NURSE: ILP doesn't have it. SWAMP has it.

MS. TURNER: From what I understand with Melissa Moore, she is using those templates from SWAMP and Excel files. So it is still Excel files, and I don't know if it is accessible to Regional Board or if you still have to go to SWAMP to get them. That may be the confusing part. If they are the same templates and you say these templates have been used by analytical labs to enter your data, then it is just a simple matter of saying, "Here

Mr. Laboratory, this is what I need you to do."

MS. NURSE: That is what I'm encouraging that we do, do template crosswalks of template setups for chemistry and not just toxicity, which is what the CETIS database crosswalk talks about.

MS. TURNER: I think it is there. I think it is just a matter of making sure the that the coalitions know, understand the templates and they can communicate that back to their labs, and their

labs IT person knows how to put it in there. Just like any sort of format that you would have and require.

MR. SUVERKROPP: I guess I have a question. In my reading of this what you are saying, Margie, there is an ILP database format to submit to? And that's never really been offered to us, to me at least to ask labs to put it into that format. We have been told in a SWAMP comparable format or SWAMP compatible, but if there is different ILP --

MS. LOPEZ READ: Same. I'm sorry, we are just using a different terminology now.

MR. SUVERKROPP: It is confusing when we have to use different terminology --

MS. LOPEZ READ: I do apologize.

MR. SUVERKROPP: Different from what the database is.

MS. LOPEZ READ: Let me give you a little history, sort of a brief history on it.

MR. SUVERKROPP: Let me finish my comment on that. Just that that was the initial question there. If that is the official format, that should be made clear and made available.

The other thing is that I know subsequent to

this last annual report data being submitted that staff were entering all the data from the hard copy lab reports into this SWAMP ILP database format, which is just incomprehensive to me that anyone would be asked to do that when all the stuff is available in some kind of electronic format. Either if it is not required to be submitted in any format, then it should be.

I am not sure what my question was in that area. The fact that somebody actually is hand entering from hard copy lab reports just blows me away.

MS. LOPEZ READ: First of all, you have to understand that I am not the person that does all of this, and database, I just know enough to be dangerous. So I might need to rely on you a little

bit on this. Basically what happened with respect to the name change, for example, how we started and stopped referring to it, had to do with toxicity test requirements and what SWAMP will allow for general ambient water quality monitoring, is what we can't yet allow for the regulatory program, irrigated lands.

That had to do with an approach to selectively

use the T test to evaluate toxicity test results as opposed to following the flow chart that USEPA has in their methods and guidance, methods manual. So people were getting upset and confused, saying: SWAMP is making us do that. We don't feel it is right that we are restricted to the T test. We think that's perjury. So it is a very difficult process. But we had to point out that there is a difference. We want you to follow USEPA guidelines until we have some kind of affirmation from USEPA that we can use something differently.

So we started to refer to it at that point as the ILP database so people will know. At that point it comes to us directly. It doesn't go through the SWAMP node. It comes to us directly. We go through it. We review it, and it does eventually get loaded up so it is available, just as all the other SWAMP

data is.

So, let's see. What else? As far as the spreadsheet availability, that is all -- that's been there a long time, according to Melissa Morris who works for me and manages that whole process. If you are note aware of that --

MR. SUVERKROPP: I have seen the SWAMP stuff. My opinion, it is adequate setoff

information to do that properly.

MS. LOPEZ READ: I think what this tells me, though, is we definitely need to have some order, and I don't think this is the right forum for that. We need to have a real direct dialogue with the people who are doing the reporting, make sure that you all have the tools that you need to give us the information that we need. I can make sure that that type of meeting happens. If it is a one-on-one with coalition and Melissa Morris or whatever, we will make that happen so it can be easier.

MR. LOUX: Let's do a time check here. We spent a good deal of time on this one issue. And Margie wanted to have a little bit of dialogue around water quality objectives, because that is both a policy and technical issue. And then I think to finish this one out, we also need to take about

where you go from here in terms of the stakeholder meetings because there is an opportunity of a couple more coming. What do you want to do with them? What's the meaningful way to get that input?

I don't want to cut off dialogue on the data entry stuff; it might be good to switch over to water quality objectives and come back to the bigger

picture of where do the other couple stakeholder meetings go.

MS. LOPEZ READ: Let me go to data quality objective stuff. The TIC has long had it on its proposed topics that they want to have some kind of review of the studies that are used to interpret the narrative Basin Plan objectives, and so that is still on the table, and the opportunity to do that will still be out there. But this is the item that came up at stakeholder meetings as well. And so I just want to make sure that all of you were aware of what those discussions are.

Again, the stakeholders meeting is not quite at the same level as the Technical Issues Committee. It's more of an opportunity for people to say what they are worried about and offer some suggestions, and we can work through it this way. Whereas, the Technical Issues Committee we think of it more as an

opportunity to actually develop some formal recommendations with a group of people with technical background.

I think where we are with the stakeholders, last week we had Jon Marshack, who is here again today -- Dr. Marshack is our staff environmental scientist who has spent years working on the data

quality objective standards, water quality objective standard limits. So he knows the topic inside and out. And Frances McChesney who is your senior staff counsel, also came to the stakeholders meeting to provide some additional information to the questions come up.

Basically, what the outcome of that meeting was that staff will be proposing an outline to deal with an approach for utilizing the different numbers, the different studies and the different limits to interpret narrative objectives. We don't have that outline yet, but I am sure within that outline there will be an opportunity for the Technical Issues Committee to provide input on specific studies. Personally, I think the whole universe of contaminants out there is not something we want to work with. We really rather work with things we are seeing. So probably our first step in

that outline will be to prioritize particular contaminants that we want to work with and decide if those studies are appropriate or not. And we have a whole lot of information now that we never had before. Some things are cropping up that we certainly don't have a Basin Plan standard for,

basin Plan objective, and there may not be something on a very well-established list, either like an MCL or an IRIS or some other well-established list. So those are the ones that we will probably start prioritizing on, how we evaluate the studies.

That is kind of where we are right now and I just want to make sure you are all aware of that. And maybe as part of scheduled topics in 2007 we can make sure that is incorporated into the process.

MR. LOUX: How many people want to comment on this one? I think this could be a three-hour discussion. One, two, three, four, five. Why don't we start with Ken and go around this way.

MR. LANDAU: Part of the other half of the discussion, particularly management, they will be staring out is what do we do in the interim. We come up with a prioritized list of things to be studying over the next decade. Do we stick with these same numbers that we have been using? Do we

drop them? Do we pick the ones that we're pretty sure of? And the other thing we are talking about. So what to do in the interim in terms of exceedance report and things like that.

The other thing we are talking about as well as in other forums is to separate out exceedance in

the sense that this is a known water quality standard that we are judging you against, whether there is water quality problem or not versus a reporting threshold. We may all love 700 micromhos waters for an irrigation water supply. The reality is it doesn't exit for much of the valley, even as a water supply issue, even much less as an irrigation tailwater issue.

So it may not make much sense to have a 700 standard for that, even if that is what we decide that is what we wanted to have a report, report, report coming in on that. Doesn't make a lot of sense. So we may be looking at separating out the water quality exceedance or water quality objective issues from a reporting issue which may become very site-specific. If your irrigation water supply is 2000, something around that may be a threshold. Not that that is anybody's idea of what you want. That may not be what we are ultimately looking for in the

salinity policy effort. But in terms of the next two years, that is just reality in terms of paperwork. And if you are over 2000, maybe there is something you need to be looking at specifically.

So we are discussing that at this point. I

don't have an answer.

MR. LOUX: Bill.

MR. THOMAS: Appreciate those remarks. Kind of to tee this up from an agricultural standpoint. The issue arises when we are converting narrative standard on toxicity to a numeric standard that a new objective, like one part per trillion for diuron. That is totally an example. That is setting a new objective. How do we go about setting such knew objectives?

Now we now that the Regional and State Boards understand that even when you go through quite a process such as 303(d) listing and then develop TMDLs, use chlorpyrophos and diazinon as examples, those are just free standing numbers that are not enforceable in any way until you put them in the Basin Plan. That is why you have done that. You have done that relative to the Delta and San Joaquin and the TMDL unit that has started to mesh the development of these new numbers with Basin Plan

amendments so they become optimum and they become enforceable.

The agriculture has always recognized that Basin Plan objectives that are in Basin Plans are real. They are enforceable. Also, realize that as

to the national Toxic Rule and the California Toxic rule. Beyond that, we have never thought you had an enforceable objective.

Now this got teed up, like some many things, when things get teed up wrong, there is some types reaction to it. When agriculture had saw the now infamous Table 1 that said hundreds, it proclaimed, it said hundreds of new objectives that would be relevant to this program and had numbers that nobody had seen or that cited pesticide anti-activist groups as authorities, raised a lot of angst about where we go here. We do know that in this program what we are called upon is to report exceedances of water quality objectives. So the setting of those objectives has become very real, and we are very focused on.

At the stakeholder where we had some of these first roundtable discussion as to this, Ken said, you know, we have set objectives -- I don't know if that was -- "set" was the word -- in other programs,

beyond just what is in the Basin Plan, it might have be NPDES, storm standards, I don't recall the example, and from that the roundtable discussion was whatever this process is, that is beyond just the

Basin Plan and the toxic rules, their needs to be a process to review, you know, the inputs, what came about. So it needs to be open. We need an opportunity to participate in that, and their needs to be a very sound science.

And so we are very anxious and open to what process will emerge on this. There is a lot of focus on it. And what you said here, Ken, about reporting threshold had something that triggers responsibility other than only the water quality objectives, certainly envision might be the piece of the puzzle. But we can't just have new water quality objectives because somebody read a report in the Ecuadorian Times that said this would be a good number. It has to be more than that.

MR. LANDAU: If I might respond out of order. My attorney would be jumping up and down in great anger with your characterization of some of this stuff. Suffice it to say that we understand we need to be working to look at what numbers do apply and in what water bodies as opposed to some do apply

everywhere and some don't, and that interpretation of interpreting a narrative that is already set as an objective is what we are trying to accomplish.

MR. LOUX: We will hear from the

Ecuadorian Times, much maligned Ecuadorian Times.

MR. THOMAS: I see very little between the Ecuadorian Times and the --

MR. LOUX: Stephen and Dr. Marshack.

MR. CLARK: Two quick comments or more questions. One comment. When this process does evolve, clearly a storm water discharger would be very interested in being at the table. If we are going to go through a process for selecting what might be a new number for pyrethroids X, they clearly have an equal concern on how that process evolves at to the agriculture folks around the table.

The second item, as I'm flipping through my notes really quickly here, I didn't quite see a characterizing the draft meeting notes. I recall that either Ken or you, Margie, indicated in the next MRP there would be a narrative description of the process that may be followed for getting to these new objectives.

Am I correct about that?

I know the Basin Plan numbers are likely to be in there. No debate about that. But I think Ken or you indicated there would be some narrative

description in the MRP in terms of there would be some meetings or groups that will be formed or however this process we will get to for the interpretation of the narrative.

MS. LOPEZ READ: I don't think that -- in the MRP is not. What I remember is not that it was going to be in MRP, but that staff would come forth with a description of how we would get there.

MR. LANDAU: We had talked about, and that wasn't just at this meeting. We had the Table 1A or whatever that is, that had a long compilation of standards that could be applicable. We had talked about instead of doing that as part of the waiver process, move that interpretation as we start dealing with each individual coalition --

MS. LOPEZ READ: MRP plan.

MR. LANDAU: -- through the MRP process, not that coming up with those numbers is a monitoring process itself, but instead of dealing with that for the entire region, deal with that on a coalition-by-coalition basis. Just a simple more manageable chunk. And the details of who's meeting

with whom, when and everything, details have certainly not been worked out.

MR. CLARK: Just to echo my comments at

the stakeholder meeting, there is obviously benefit because beneficial uses may differ from different coalitions or even subwatersheds within a coalition.

MR. LANDAU: Stream to stream.

MR. CLARK: There is definitely a benefit of meeting with [indescernible] to describe some of the process along the way, a benefit of meeting with each of the coalition. One of my aches and pains in this entire process, and this is outside the picture of narrative objectives, is the inconsistencies for each coalition when I'm submitting data in terms of what is a problem and what is not. That seems from staff member to staff member that I get different answers.

Semi-annual reports comments. I get one answer from one group that is completely counter to the exact same type of reporting and communicating that I've gone on with another group. I would hope that there is a significant technical component that is being brought in from the Regional Board so that a particular staff member may or may not have a comprehensive background in this particular area and

is not making a decision that is ill-informed.

I hope I am not being too strongly worded in

this case. That is one of my concerns with this because I have seen it elsewhere in the program. I think it is simply because people have been getting up to speed. This is one that, if people are -- if coalitions are being treated unevenly, with the exception of dealing with site-specific beneficial uses, that is going to create a lot of heartache.

MR. LANDAU: I understand what you are saying. Recognize and I can speak easier from many decades of working in NPDES where even with a much better defined discharge and a single point as opposed to millions of acres, trying to get the balance between equity between everybody and dealing with site-specific condition, whichever way you go we are wrong.

MR. CLARK: For me it is the proper selection of a defensible piece of data to establish the number. If a different number is being used, a different source of literature is being used for one coalition than the other that has poor quality in terms of quality of the report or literature that that came from, that is a huge issue.

So that is really my point, not necessarily

how you enforce that number and how the beneficial uses are selected, but really what is the benchmark

data that is used as defensible quality work to then move forward with. That shouldn't change regardless of the coalition, in my opinion.

MR. LOUX: I think Dr. Marshack.

DR. MARSHACK: I will pretty hold off on what I was going to say, except that I talked with Margie in my presentation to the stakeholder meetings is going. I can see what is going to be presented and to define these terms.

MR. LOUX: Al.

MR. VARGAS: Al Vargas.

A couple clarifications and two points. One is this use of standards versus objectives. My understanding is that standards is a term out of the Clean Water Act that talks about, refers to beneficial uses and a numeric value to protect that use.

The other issue is, is the Board interpreting the narrative toxicity as the objective in whatever numbers you come up or interpreting that as not necessarily objectives they have to go through a rulemaking process, you are exempt from rulemaking in selecting numbers to interpret the narrative

toxicity? Is that what I am understanding?

MR. LANDAU: If I may respond. This gets somewhat back to our concerns about -- we have different interpretations as to what was all said at the last meeting that went on for two and half, three hours, something like that. Trying to summarize very short.

There are different terminologies depending on whether you are talking federal or state law. And Jon can probably more correctly tell you that because in terms of how things technically go together, I tend to be the engineer in this and use criteria and objectives and things interchangeably, which I get yelled at by my attorney for doing.

The narrative toxicity objective chemicals, the constituent objectives are objectives adopted through the rule making process in the Basin Plan. They are fully enforceable, just like a number. Now how you go about enforcing them means you have to look at beneficial uses, look at the data that is out there and what constitutes toxicity, the critters there or what you are talking about. And then, normally through a permit, through a waiver or something, this Board, through actions, we would come up with a number. We do not need to go through

that rulemaking procedure to come up with a number

to interpret a narrative. And I fully understand not everybody agrees with us on that, but that is our position.

MR. VARGAS: That is what I was going to ask, can be challenged in the courtroom.

MR. LANDAU: Yes, and I am sure, yes.

MR. LOUX: Dan next.

MR. ODENWELLER: Do we need to change the tape?

THE COURT REPORTER: No, thank you.

MR. HALL: Can I ask a question? I think you may have answered that; I want to be sure. If you have a numeric objective or criteria that is based on a process where you go through the USEPA procedure developed in 1985, where you have eight different tox cells, it is a fairly rigorous design in a lot of ways because you use a lot of data to come up with the final key value. Jon knows what I am talking about.

MR. LANDAU: Good.

MR. HALL: That is one case that you have some scientific rigor in developing your number. If you have another case where you have a pesticide that may only have a handful of toxicity values, you

took your lowest value, you took one-tenth of that and you assigned that as your target value, your objective or criteria for a trigger, that would be a number that coalitions would have to adhere to, to put some kind of management plan in place.

That process would work when you have data scarcity; is that correct, taking the one-tenth value?

DR. MARSHACK: That language is in the Basin Plan, in Chapter 4.

MR. LANDAU: Lacking something better.

MR. HALL: My question is: Does that have legal teeth just like the number that is developed with the rigorous process? You made the point that you've done that before and that has gone through a sort of legal process. Is that what you're saying, you are using that one-tenth for the lowest value that has gone through that legal process, and you have been able to win the day with that?

MR. LANDAU: Jon, if you have a specific example, go ahead.

DR. MARSHACK: What I was going to say, usually the way this is done is through the adopting of an order by the Board. Whether we are interpreting a narrative with a number or we are

implementing the language in the Basin Plan that says, in the absence of a robust aquatic life criteria, we are going to consider one-tenth of the lowest value for a valid test to be protective. Those interpretations are normally done by the Board looking at all the evidence and adopting some sort of an order. But whether that be waste discharge requirements or waivers or a monitoring program or what-have-you, so there is a process for looking at information and balancing various sides and the Board making interpretation. And some of those processes the Board also has delegated to the Executive Officer for certain decision-making. There is an opportunity for dialogue in each one of those cases.

MR. LANDAU: While Jon was talking, I have -- we have situations where we have succeeded -- we have a responsibility when we are going before our Board and potentially upon appeal in the Court and things to demonstrate our cases to why that is a reasonable number. Many cases we have won. In one case that I can remember, the case was an odor issue for ammonia where the European Union standard we were applying, the State Board determined that was inappropriate.

So, again, we do the research, put together our case as to, hey, for this pesticide, whatever the issue is, there is not a body of evidence. If there isn't, then there just isn't. But then we have to present that body of evidence through the public process, not the basin planning process, but whatever process we are using to enforce that narrative objective. And the decision is made either that there is enough evidence to support that number or isn't.

MR. LOUX: Bill.

MR. THOMAS: Lenwood, part of the difficulty is here there isn't a track record that precedes in this particular issue. Jon put his finger on it, is in most places where this has been done you are dealing with a point source or you are dealing with a permit. So you are dealing with enforceability of that permit in a certain factual application.

MR. HALL: That is the point source.

MR. THOMAS: Just from the standpoint that that is not an individual permit, that is because we are developing a regulatory program, setting numbers in a regulatory setting, general application. So there is a different context and the enforceability

don't think the one-tenth issue has been, you know, tested out.

MR. LOUX: May I make a suggestion. This has good dialogue. This is an issue, a pretty big policy issue to which there is a process that can be described, that I don't think the design is you don't have to land it for your MRP. It is a process that is going to continue on and go on. My suggestion --

MR. THOMAS: So long as you don't put that Table 1 back in.

MR. LOUX: Don't look at me. Never even read the darn thing.

MR. LANDAU: It is significant as to how we deal with that.

MR. LOUX: If there were any comments about that part of it as opposed to sort of policy question but more about how the MRP -- where it is going to sit, how it's going to come to the Board in terms of the future process. We might want to entertain that process, otherwise my suggestion is we move on. We are not going to solve the policy problem here.

MR. CLARK: How we deal with that, I think

reflecting back to where this program was implemented, parties were potentially on different sides of the fence, maybe close to the fence, to begin with some. Going to stakeholders meeting and having that raised, EPA documents and kind of slammed on the table to get people to come to the table to begin to discuss the Technical Issues Committee, now we have the TIC and stakeholder group. For me it is always more productive for people to be working together. We may agree to disagree. I would like to see a process similar to what has been developed here; that is dealing with those narrative objectives. And like I said, there may be times when people have to agree to disagree. Ultimately, the Regional Board has that within its purview to go behind closed doors and say, "This is how it is going to be."

It seems to be a more productive process to have everybody at the table, venting issues out; and then ultimately a process, a formula will come from that.

MR. LANDAU: I think that is where we are heading, recognizing there is a whole set of narrative toxicity statements of what we use for chlorine and ammonia. There is probably massive

amounts of science behind those. Down to a whole spectrum of less and less science down to very little data or hardly suspicious.

Mr. CLARK: In pesticide there is not massive data behind them.

MR. LOUX: Will the description or some explanation of how this process proceeds, will that be at the MRP -- at the same time as the MRP hearing for the Board, will there been some information?

MR. LANDAU: We will have to deal with that at some time. There are two aspects. Setting up the process to be dealing with that and what are we doing with the MRPs. Because we can't wait. Part of the discussion at the last stakeholder meeting was we shouldn't be dealing with these things until we have gone through this scientific discussion.

The reality is we have chemicals out there from the body of data that they are a toxicity or a human health problem, whatever. We can't just sit back and wait a couple of years on those. There is a whole spectrum, and we are going to have to, somewhat in behind in our little dark room back there, we have to come up with something that we will then vent to the light.

MR. LOUX: Sort of interim solution, set of solutions, and then there is the longer term process.

MR. LANDAU: There is the longer term and then what do we do on the day-to-day basis in between. We cannot sit back and not deal with the water quality issues for the next couple of years until we figure out all the science.

MR. LOUX: Any last words? Last questions?

While we're getting a tape changing break, we have two issues left to talk about. And one of them is sort of a future meeting of this group and kind of what issues you want to cover, and Margie is going to go into that. We know we have one big one at the next meeting.

Kind of what -- I will hold off saying anything more.

(Break taken for Court Reporter.)

MR. LOUX: Let's talk about -- Margie, we know April 3rd is set and why don't you talk about what you are anticipating will occur at the April 3rd workshop.

MS. LOPEZ READ: Everybody should have a copy of the handout. This is something we put

together a couple months ago, this group put together in terms of what some of the topics were for 2007 and the beginning of a schedule.

Well, we didn't do number five. We sort of touched on number one today. So those are going to have to fold in more into the future. But certainly for our next meeting, our meeting will be pretty full. Just in simply my discussing the merits and benefits and needed changes from this committee's perspective of the working draft MRP.

So I don't foresee trying to squeeze another major topic into that meeting. You may want to look at the remainder of the year and see where you want to place them. Your estimate of priorities on this.

MR. LOUX: Before we do that, let me get a sense of how we are going to review the draft MRP so we are kind of aware and schedule things. According to the calendar, around March 20th you anticipate having a draft they can all have.

MS. LOPEZ READ: Correct.

MR. LOUX: You have a couple of weeks to take a look at that. This thing is pretty hefty. I am asking you, Margie: Do you want to E-mail comments, issues or questions ahead of time so we

can structure the third? I would recommend that. The more we can get ahead of time is more that we can structure the conversation and not start at page one. There are specific issues that people have and the much of that can be -- we don't have to go through.

MS. LOPEZ READ: That is a really good question, especially clarification question. I think that would be really appropriate. We will send that out approximately March 20th, and between then and the next meeting, if there are comments, ideas or thoughts or questions, if you could E-mail those to me and we will try to put them in groups and categories that will help.

MR. LOUX: A little before the 3rd, then, that would have to be the Friday before the last day in March, whatever that is.

MR. LOUX: But I wouldn't want to discourage anybody from bringing something new to the meeting.

MR. LOUX: To the degree you could review the material and send an E-mail to Margie with specifics or Word document, that seems to work, by the 30th of March, that is only ten days, but that will be helpful. We can use those as a way to

structure the agenda so that we can go through this thing. So in as clear and incisive a way as you can, and then you bring other things to the table on the 3rd, as well if there is some additional stuff. You have additional time.

Does that work for everybody in terms of process for reviewing the draft? A lot of the stuff you know about.

MR. CLARK: The exception is if at all possible if we are in the middle of storm season, as many of these folks are, if at all possible. I know that is pressing on the Board staff, but it they can come out any earlier than the 20th, a day or two earlier, give us a day or --

MS. LOPEZ READ: I certainly will try. It is not always within my control. The other thing I should say is that April 3rd is not the end of that. There is still opportunities between then and, like Ken was saying earlier, right up until the Board adopts that to provide comments. Certainly it is easier to do it before it goes out as tentative. If you make major changes in the tentative document, by right you should post the tentative again. That would be nice to have the significant things done

before that.

MR. HALL: Margie, whenever we make comments on the revised MRP and we discussed those comments at the April 3rd meeting, will there be a process to come up with some type of consensus? For example, if everyone agrees a certain comment should be included in the revised MRP, can we make the decision that day to include it or does it have to go through another loop of approval before that can actually appear in the final MRP?

MS. LOPEZ READ: I think you're talking about the way we are using TIC recommendations before?

MR. HALL: Right.

MS. LOPEZ READ: I don't see us being held to that loop of going through that again. It is not a decision of the TIC.

MR. HALL: Only recommendation.

MS. LOPEZ READ: There is no -- I think at that point we are dealing right direct right now, let's talk about that, the staff agrees with that, can staff support that or not. Rather than having that iterative one month propose it, next month approve it. We don't have time for that any more. We are beyond that. We have done the formal. The

25 TIC has done that formal recommendation. They made

1 them. You have sort of a summary from staff already
2 of the ones that supportable, which are largely
3 supportable to a good extent. And I will say in the
4 draft that we routing about a lot of the concepts
5 are incorporated. I don't see any reason to go back
6 to that same cycle.
7 MR. CLARK: I might recommend that time
8 will tell when we receive the MRP and how much
9 debate or further comment is necessary. We've got
10 the -- the tentative MRP is going out for -- I'm a
11 little puzzled. The tentative MRP, the deadline for
12 public comment on the tentative MRP is April 16th.
13 I was going to encourage a May meeting. Actually, I
14 am still going to encourage potentially benchmark
15 May meeting for the TIC. We don't have, and then if
16 we don't need it, we feel like we have gotten
17 through, proceeded through all the MRP questions and
18 comments in the April meeting, we can cancel the May
19 meeting. I think it would be beneficial to have one
20 a week before the public comments are due. If we
21 don't need that, we can cancel it.
22 MS. LOPEZ READ: What Stephen is
23 suggesting is somewhere around May.

MR. CLARK: Again, if it is not necessary, one less meeting to attend. I don't know how well

this kind of iterative back and forth process is going to work in terms of commenting on May 8.

DR. LONGLEY: You're talking late May?

MR. CLARK: That is just another week before the public comments are due, potentially hash through any debatable issues.

MS. LOPEZ READ: Let me say this. What I'm also seeing on this schedule that we are going to have meetings up and down the regions, three meetings in the north, south and somewhere in the middle, to talk about the tentative MRP. But you are saying that it is worthwhile to have one that is just strictly the Technical Issues Committee meeting in May. If that is what people suggest, I can see if --

MR. SUVERKROPP: If it is available during that period. Third and fourth are tied up.

MS. LOPEZ READ: That will be tough. That is why I am asking the question again. If you felt there is sufficient need for that. Maybe what the idea to do would be to tentatively schedule a meeting.

MR. ODENWELLER: That is what he

suggested. If we need that, that is there. If not, we can cancel that.

MR. CLARK: I think the May 11th window, probably the week of May 11th when you are going to have a South Delta and Sacramento Watershed meeting. You are going to get a different audience there, maybe some of the participants around the table, might be additional growers, subgrowers attending those meetings. Maybe not be very familiar with the entire process this group has gone through. My gut instinct. I would hope that we don't have to have another meeting. I am kind of meeting'd out. But at the same time, there is a pretty significant amount of work that has gone in through this, and a three-hour-or-so meeting or whatever period on May 3rd may not be --

MR. LOUX: Tentatively calendar, that would be May 8.

MS. LOPEZ READ: I don't have my calendar with me. Is that a Tuesday?

MR. LOUX: That is Tuesday and kind of a standard morning. So May 8th in the morning, just put in the calendars and is a holding place. If we don't need that, we won't have it. I will strictly

be on MRPs; we won't put any other topics there, Just the MRP is still in much debate. If we really feel we need the end of April 3rd, that gives us a

place to do it; if not, you are off the hook. And we probably will know better based on the kind of E-mail comments we get. Literally hundreds of them in 25 categories, that would may tell us one thing versus a handful of ones that we can handle.

Wendy.

MS. COHEN: I believe the way the calendar is showing it, that you have working draft and then the April 3rd TIC meeting, and after that the actual official tentative comes out for public review April 16th. So the May 8 meeting, are you picturing that would be to discuss -- we are in the middle of the comment period -- would be to discuss comments? People would be writing their comments.

MR. CLARK: People clearly submitting comments on the tentative, but I am just not convinced that venue for discussion like we've had around hear will be completely vetted out on April 3rd. This has been a good venue for dialogue over just simply submitting individual comments.

MS. COHEN: You understand the working draft may change?

MR. CLARK: I completely understand. Like I said, I wholly hope we don't have to meet. Every other month is not a good place.

MR. SUVERKROPP: I was going to suggest that the window be potentially between the tentative and the Board meeting, kind of a two-week window there, instead of a May meeting, which is in the middle of a whole bunch of other meetings that Board staff is involved with. That really depends on people's availability.

MS. LOPEZ READ: If you're concerned about staff, I guarantee you there is no single week, even though it is not meetings with groups, there is a lot of behind the scenes things that we need to do to get ready for a Board meeting.

MR. SUVERKROPP: I understand that. Is a question of degree, what is a less bad week for you guys to meet.

MS. COHEN: Getting ready for a Board meeting.

MR. ODENWELLER: December 8 is not a second Tuesday; I believe it is the 11th.

MR. LOUX: Looking at further meeting dates.

MR. CLARK: That should be the 11th.

MS. LOPEZ READ: I think they're right. There was a date error on this calendar.

MR. ODENWELLER: The 11th would be the

second Tuesday.

MS. LOPEZ READ: In December?

MR. ODENWELLER: Yes.

MR. LOUX: Does the make sense just for us to tab some kind of a place holder to take Items 2 and 5, which we didn't get really deep on today, and put them on June 27th as a place holder? That may not stay that way. Give us something to work with.

MR. CLARK: I think Item 1 is simply going to be a place holder for a long time, just for updates and --

MS. LOPEZ READ: Keep one on the line.

MR. CLARK: I personally wouldn't have it on April 3rd, but after we get through the MRPs, that is going to be a continuous discussion.

MR. LOUX: I jumped to June 12th. Just to recap. April 3rd we are going to do the MRP. You organize it as best we on your comments which are due around the 30th, E-mail comments, questions. You should get the draft on the 20th, get that before if staff can get that to you before. You

still have lots of opportunities after March 30th for written or verbal. The more we can get by the 30th, the better we can structure April 3rd. We will finish April 3rd if we can. Get through the

major stuff. Maybe a few small things hanging, and we will cancel the May meeting, if not use the may meeting.

MR. ODENWELLER: Let me suggest that I am not sure that we are going to stay, meet the schedule if don't settle Item 7, clarity on that.

MR. CLARK: Item 7 is not going to happen. The laboratories understand that is not going to happen any time soon. We would like to see that happen in the long run. Just simply because it cuts down on costs for the coalitions, frustrations, extra time. So we have been doing that without that. But we would like to see a future where there is streamlining and less effort to have to go into submitting electronic data.

MS. TURNER: I think we should clarify, that that is more toxicity not chemistry. Other than giving the labs the Excel file and telling them what to use.

MR. SUVERKROPP: Some of the same

issues.

MS. LOPEZ READ: One other clarification on that particular crosswalk. That is something that the State Water Resources Control Board has to fund.

MR. SUVERKROPP: They are not going to.

MS. LOPEZ READ: So that is the action items for us are to try to get whatever mechanisms it is we need to have, make that happen.

MS. TURNER: Claus is right. There should be other steps making sure everyone is on the same page of what sort of templates need to be used or if SWAMP is comparable for the irrigated lands program is going to be just as simple. Make sure you have a method, make sure you have a analyze. Doesn't have to be exactly written the way that SWAMP has that or their look.

MR. SUVERKROPP: That is a pretty important distinction. Sure.

MS. TURNER: Definitely starting from that and moving outwards to. I think there is some basic steps that aren't very clear amongst everybody.

MR. CLARK: I have a question.

MS. COHEN: I want to say the June 27th meeting, the nine days before the June Board

meeting, many staff are going to be working on presentations for the MRP adoption hearing. I don't know how we can -- wait and see how that goes, if we are getting closer and closer. I am just saying that nine days before a major Board action item.

MR. LOUX: Whether that is a meeting we might not have.

MS. COHEN: Possibly.

MR. LOUX: You might drop the June.

DR. LONGLEY: I would suggest that.

MR. LOUX: Item 2 has recently peeked my interest, and that is after the stakeholder meetings, at the stakeholder's meetings I had an opportunity to ask John a very direct question about how you had it in the past; and that was when you have an exceedance, quote-unquote, actually it is an exceedance of, say, an analytical number, which is counter to the toxicity data where it shows no toxicity, how is the Regional Board using that kind of -- it is a bi-ad in that situation -- two sets of data together to qualify one data set or the other is exceedance or not. John indicated that both of those sets of data are separate. You have an exceedance for chlorpyrophos and no exceedance for

toxicity. I further asked him how he sees the Regional Board will integrate the triad approach that is being developed by the State Board for sediment quality objectives. And he indicated that he felt that -- actually, he said that they have commented on it and they disagree with it strongly.

Ultimately, State Board may still go forward with that.

What is puzzling to me about that type of dialogue and approach is that Item 2 is kind of trying to move the coalitions toward having bioassessment data which is recommended in the MRP. Although there is currently no exceedance type benchmark for bioassessment data, I can't imagine why a coalition would want to go collect more data that they would have held to some type of benchmark in the future as potentially an exceedance.

I think part of the bioassessment data discussion is not only how it is done, where is it done, property access and things of that sort, why would you do that. If you are simply going to be held to one more set of data potential requirement and exceedance issue in the future, if that is not going to be integrated as we thought in the weight of evidence approach as listed on here, not be used

as a weight of evidence approach as per John's general comments, what he said about the sediment approach developed by the State Board. That may be completely off the radar, period. I don't think the coalitions are going to collect bioassessment data, for the most part.

MS. LOPEZ READ: The fact is that because we don't have bio criteria at this point in time.

MR. CLARK: They are coming.

MS. LOPEZ READ: There is merit to using bioassessment information. There really, really is.

MR. CLARK: The coalitions agree.

MR. SUVERKROPP: Not if it is a ratchet one way process. If it only has bad outcomes, then there is no point to doing it. That's from the coalition standpoint.

MS. LOPEZ READ: That may be a whole different thing as to letting Fish and Game do that, which is not a cost to the coalitions.

MR. CLARK: That has actually been on the agenda for the future before even the CMAP stuff was discussed. One, because it's been in the MRP, too. Several coalitions are intrigued by going that approach. It could be used like a weight of

evidence.

MS. LOPEZ READ: Just on what we're talking about as topics for the future. Is there a different way to word a topic that would kind of get us into this?

MR. CLARK: Leave that as are we going to integrate that as a weight of evidence approach.

MR. SUVERKROPP: You are entering into the topic at this point.

MR. LOUX: I tend to agree.

MR. CLARK: That definitely relates to the stakeholder meeting last week.

MR. HALL: The only comment, and I certainly agree that this is a very important topic, bioassessment. That seems to me what you have is a situation where the State Board has a certain way of looking at data, weight of evidence. Regional Board is taking this line of taking only one line at a time. That is a topic we need to discuss maybe in our Trigger Focus Group or some other venue within the TIC. A very important issue.

MS. LOPEZ READ: How would you call that?

MR. CLARK: Multiple lines of evidence.

MR. HALL: Multiple lines of evidence.

You can still keep the same sort of header. I would

expand that more. You are going to consider this whole multiple lines of evidence approach.

MR. SUVERKROPP: It is especially useful when we're talking about the narrative objective. There is a lot more uncertainty about what the right number was to interpret. Then that approach becomes a lot more viable for the Board as well as

coalitions, I think.

MS. LOPEZ READ: That seems as we have a number eight now for our topics.

MR. HALL: A subset of number two.

MR. LOUX: Integrate in number two.

Any other comments about future next steps? Everybody's clear on the MRP, revision schedule and review, what we are going to be doing? Everybody May 8th as a possible, hopefully not a possible, second meeting. If we do May 8th, we can cancel June 12th. We will play that one as we go.

Any last thoughts, Margie? Anything else you need to accomplish today?

MS. LOPEZ READ: No, I don't think. Maybe go back some of the things that I heard that, quote-unquote, action items are try to get together a meeting or individual discussions with whoever is

doing the data reporting, to make sure you know what tools are available, spreadsheets, database. Making that happen. Of course, adding the May meeting date. Developing a flow chart for Recommendation No. 8. Try to come up with some mechanism or some feedback on her long-term monitoring strategy approach. Those are the only things I see at this point in time.

DR. LONGLEY: Did you mention the policy issue on interpretation of objectives in the Basin Plan, so forth?

MS. LOPEZ READ: That is definitely a pending item.

MR. LOUX: Having some discussions on that as part of.

MS. LOPEZ READ: I think that is that.

MR. LOUX: Thanks everyone.

DR. LONGLEY: I was doing a mental calculation of how much money is spent on this process by each and every person. It is mind boggling?

I have to thank all of you. Hopefully out of this we will come up with a process that is much more bearable than what if Dan and I had to sit up and there and make a final decision without all the

input that has happened.

MS. LOPEZ READ: I do think it's been a very elucidating process and valuable for many reasons.

DR. LONGLEY: Thank you once again.

(Workshop concluded at 12:15 p.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

I, ESTHER F. SCHWARTZ, certify that I was the official Court Reporter for the proceedings named herein, and that as such reporter, I reported in verbatim shorthand writing those proceedings;

That I thereafter caused my shorthand writing to be reduced to printed format, and the pages numbered 3 through 136 herein constitute a complete, true and correct record of the proceedings.

IN WITNESS WHEREOF, I have subscribed this certificate at Sacramento, California, on this 28th day of February, 2007.

_____
ESTHER F. SCHWARTZ
CSR NO. 1564